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MEMORANDUM

To: House Committee on Federal and State Affairs

From: Mike Heim, Revisor of Statutes Office

Date: Feb. 25, 2025

Subject: HB 2331-Summary

HB 2331 allows a coroner in possession of the cremated remains of a deceased person to relinquish custody of such cremated remains if:

- (1) No person has claimed the cremated remains during the three years following the date of death or any period prescribed by K.S.A. 22a-231 et seq whichever is longer;
- (2) the coroner publishes notice in a newspaper of general circulation in the county where the death occurred and states that such remains shall be disposed of in accordance with this law unless the remains are claimed by the immediate family or the next of kin of the deceased within 30 days following the date the notice; and
- (3) no claim on such cremated remains is made within the time prescribed.

If an authorized person claims the remains, then the person shall be required to reimburse the coroner for the costs of cremation and any other applicable fees assessed by the office of the district coroner.

Cremated remains disposed of under this act shall be:

- (1) Buried by placing the remains in a church or cemetery plot or a scatter garden, or in a tomb, mausoleum, crypt, columbarium or other permanent non-accessible chamber; or
- (2) if the decedent was a veteran, relinquished to the director of the Kansas commission of veteran's affairs office, or the director's designee, or a national cemetery.

The office of the district coroner shall not be liable for any costs or damages arising from the disposition of cremated remains conducted in accordance with this law, except in cases of gross negligence or willful misconduct.

If after investigation the coroner determines that property found with the body of a decedent has insubstantial commercial value, the coroner may destroy or otherwise dispose of such property. Neither the coroner nor the county where the death occurred shall be liable for any action taken.

