

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2331

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2331 would amend laws relating to coroner procedures for the disposition of remains by creating a process that would allow a coroner to relinquish custody or dispose of unclaimed cremated remains, and specify whether civil liability would arise from such disposition.

Refusal to Accept Remains

Under continuing law, a coroner is required to deliver the body of a deceased person (decedent) to the person's immediate family or next of kin. If there is no immediate family or next of kin, the coroner is required to report and deliver the body to the University of Kansas School of Medicine (KU Med), or cause the body to be cremated or buried.

The bill would require these procedures to be followed when the immediate family or next of kin of the decedent refuses to accept the remains. The coroner would be required to notify KU Med and deliver the remains, or otherwise cremate or bury the remains, as provided in continuing law.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Relinquishment of Cremated Remains

The bill would allow a coroner to relinquish the cremated remains of a decedent if:

- No person has claimed the cremated remains within three years following their death, or any period of time prescribed by law, whichever is longer;
- The coroner publishes notice in a newspaper of general circulation in the county of death, which states the pending disposal of the remains if they are not claimed by immediate family or next of kin within 30 days of publication; and
- No claim of the remains is made within the time periods provided in the bill.

Costs

If the remains are claimed by an authorized person, such person would be required to reimburse the coroner for the costs of the cremation and pay any applicable fees assessed by the coroner.

Disposal of Remains

The bill would require unclaimed cremated remains to be disposed of by:

- Burying the remains in a church or cemetery plot or scatter garden, or in a tomb, mausoleum, crypt, columbarium, or other permanent non-accessible chamber; or
- Relinquish the remains to the Director of the Kansas Commission of Veterans Affairs Office or

their designee, or to a national cemetery, if the decedent was a veteran.

[*Note:* The Kansas Commission of Veterans Affairs was renamed the Kansas Office of Veterans Services in 2024.]

Veteran Status

The bill would specify that a coroner would not be required to determine or seek determination of whether a decedent is a veteran if the coroner was either informed or later discovered that the deceased person was not a veteran, or that such person did not desire any recognition of their service as a veteran at their burial or other related services or ceremonies.

Coroner Liability

Under the bill, a coroner would not be liable for any costs or damages related to the disposition of cremated remains conducted in accordance with the bill, except in cases of gross negligence or willful misconduct.

Under continuing law, cremation or burial expenses are to be paid from any property found with a body. The bill would specify that if a coroner determines property found with a body has insubstantial commercial value, such property could be destroyed or otherwise disposed of by the coroner. The coroner and the county would not be liable for the act of destroying or disposing of such property.

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of a representative of the Sedgwick County Government.

House Committee on Federal and State Affairs

In the House Committee hearing, **proponent** testimony was provided by a representative of the Sedgwick County Regional Forensic Science Center, who stated the County is in possession of over 500 boxes of cremated remains in storage, and the bill would provide a process to ensure proper disposal of the remains.

Written-only proponent testimony was provided by a representative of the Sedgwick County Board of County Commissioners and by a private citizen.

Written-only neutral testimony was provided by a representative of the Kansas Office of Veterans Services.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Board of Mortuary Arts and the Kansas Association of Counties indicate enactment of the bill would have no fiscal effect.

The Kansas Office of Veterans Services indicates it was contacted one time in the past three years regarding the unclaimed remains of a veteran decedent. If a county coroner were to pass on costs for claiming remains of a veteran under the bill, the agency estimates costs per instance ranging from \$800 to \$3,000, depending on the level of medical exam necessary to determine the cause of death. Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Coroner; unclaimed remains; cremation; veterans; liability