

Brookens Amendment

HB 2121

Sec. 1. K.S.A. 65-2426a is herebyfurnished to authorize such cremation.

(a) The coroner's permit to cremate shall be authorized by the coroner of the jurisdiction in Kansas in which the death occurs. Subject to the provisions of K.S.A. 22a-232, the coroner in Kansas may transfer jurisdiction to another jurisdiction in or out of Kansas if the coroners of both jurisdictions agree to the transfer in writing. If the transfer occurs, then the authority to cremate follows and is limited to the new jurisdiction.

(b) Except as provided in subsection (c) of this Section, if the death occurred outside the state of Kansas and the cremation of the body is intended to take place in a Kansas jurisdiction, the coroner of such Kansas jurisdiction may authorize cremation, but if such coroner knows of the location in which the death occurred, such coroner prior to cremation shall make a good faith attempt to receive written authorization for such cremation from the coroner in the jurisdiction in which the death occurred. If such coroner attempts to contact the coroner in the jurisdiction in which the death occurred but does not within 48 hours after the request receive either written authorization to cremate or some information indicating an investigation is pending or some similar denial to cremate, such coroner in Kansas is presumed to have made a good faith attempt, and the coroner in the jurisdiction where the body is now located is authorized to issue the permit to cremate. A statement about the coroner's attempt to contact shall be maintained by the coroner as part of the records about that body.

(c) Irrespective of the terms of subsection (b) of this Section, if the coroner knows that the location of the cause of death is in Kansas but the death occurred outside of Kansas, the coroner shall seek the authorization of or transfer of jurisdiction from the Kansas coroner where the cause of death occurred before authorizing cremation of the body, and the Kansas coroner shall not be required to seek authorization from the out-of-state coroner where the death occurred.

(d) A telefacsimile or electronically signed copy of the coroner's permit to cremate which authorizes the cremation shall constitute legal authorization for such cremation under this section. The provisions of this section shall be construed as supplemental to and as a part of the uniform vital statistics act. Any person who knowingly violates this section, upon conviction, shall be fined not more than \$500.

Sec. 2 OK

Sec. 3 OK