
SUBSTITUTE SENATE BILL 5481

State of Washington

61st Legislature

2009 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senators Marr, Becker, Hobbs, Haugen, Franklin, Parlette, Eide, Rockefeller, Hatfield, Jarrett, Jacobsen, Kilmer, Berkey, Tom, Swecker, King, Kastama, Shin, McDermott, Prentice, Fairley, Holmquist, Brandland, McCaslin, Ranker, McAuliffe, Roach, Honeyford, and Kauffman)

READ FIRST TIME 02/10/09.

1 AN ACT Relating to veterans' burials; and amending RCW 68.50.230.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 68.50.230 and 2005 c 365 s 146 are each amended to
4 read as follows:

5 (1) Whenever any human remains shall have been in the lawful
6 possession of any person, firm, corporation, or association for a
7 period of ninety days or more, and the relatives of, or persons
8 interested in, the deceased person shall fail, neglect, or refuse to
9 direct the disposition, the human remains may be disposed of by the
10 person, firm, corporation, or association having such lawful possession
11 thereof, under and in accordance with rules adopted by the cemetery
12 board and the board of funeral directors and embalmers, not
13 inconsistent with any statute of the state of Washington or rule
14 adopted by the state board of health.

15 (2)(a) The department of veterans affairs may certify that the
16 deceased person to whom subsection (1) of this section applies was a
17 veteran or the dependent of a veteran eligible for interment at a
18 federal or state veterans' cemetery.

1 (b) Upon certification of eligible veteran or dependent of a
2 veteran status under (a) of this subsection, the person, firm,
3 corporation, or association in possession of the veteran's or veteran's
4 dependent's remains shall transfer the custody and control of the
5 remains to the department of veterans affairs.

6 (c) The transfer of human remains under (b) of this subsection does
7 not create:

8 (i) A private right of action against the state or its officers and
9 employees or instrumentalities, or against any person, firm,
10 corporation, or association transferring the remains; or

11 (ii) Liability on behalf of the state, the state's officers,
12 employees, or instrumentalities; or on behalf of the person, firm,
13 corporation, or association transferring the remains.

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