

SENATE FILE NO. SF0071

Disposal of remains-military personnel.

Sponsored by: Senator(s) Hastert, Esquibel, F., Johnson
and Von Flatern and Representative(s)
Illoway, Millin and Thompson

A BILL

for

1 AN ACT relating to the disposition of remains; clarifying
2 the type of written instructions accepted from military
3 service members; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 2-17-101(a) and (b)(intro) is amended
8 to read:

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10 **2-17-101. Authority to authorize burial or cremation;**
11 **immunity for funeral directors and undertakers.**

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13 (a) If a decedent leaves written instructions
14 regarding his entombment, burial or cremation, or a
15 document that designates and authorizes another person to

1 direct disposition of the decedent's body the funeral
2 director or undertaker to whom the body is entrusted shall
3 proceed with the disposition of the body in accordance with
4 those instructions or the instructions given by the person
5 designated to direct disposition of the decedent's body. A
6 document that designates another person to direct
7 disposition of the decedent's body drafted pursuant to
8 service in the military service and in a form mandated by
9 federal law shall be recognized as valid for purposes of
10 this section. In the event a decedent does not leave
11 written instructions regarding his entombment, burial or
12 cremation, or fails to leave a document designating another
13 person to direct disposition of the decedent's body, the
14 funeral director or undertaker to whom the body is
15 entrusted shall obtain a signed consent before the
16 entombment, burial or cremation proceeds.

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18 (b) Any of the following persons, in order of
19 priority as stated, may consent to the entombment, burial
20 or cremation of the decedent, provided no written
21 instructions or a document designating another person to
22 direct disposition of the decedent's body were left by the
23 decedent:

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1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)