

26:7-18.1 to 26:7-18.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:7-18.1 to 26:7-18.3

(Dead bodies - cremation - require
2 day waiting period and a medical
examiners certificate.)

LAWS OF: 1983

CHAPTER: 385

Bill No: A2211

Sponsor(s): Doria and others

Date Introduced: November 29, 1982

Committee:

Assembly: Higher Education and Regulated Professions

Senate: Institutions, Health and Welfare

Amended during passage:

YES

Amendments during passage denoted
by asterisks.

Date of Passage:

Assembly: March 14, 1983

Senate: September 15, 1983

Date of Approval: November 16, 1983

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

YES

Senate

YES

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

NO

Following were printed:

Reports:

NO

Hearings:

NO

cbc

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ASSEMBLY, No. 2211

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 29, 1982

By Assemblymen DORIA, BOCCHINI, WOLF, ROCCO, T. GALLO,
 COWAN, CHARLES, JANISZEWSKI and KARCHER

AN ACT concerning the cremation of dead human bodies and supplementing P. L. 1950, c. 256 (C. 26:7-11 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
 2 *of New Jersey:*

1 1. No person shall cremate a dead human body unless***[**:

2 a. At**]*** *at** least ***[48]*** *24** hours have elapsed from the time
 3 of death as recorded on the death certificate to the time of crema-
 4 tion***[**, and

5 b. The county medical examiner has certified the cause of
 6 death**]***.

1 2. A person may dispose of the cremains of a dead human body
 2 which have not been claimed by a relative or friend of the deceased
 3 within ***[five years]*** *one year** from the date of cremation upon
 4 certification, to the commissioner's satisfaction, that a diligent
 5 effort has been made to identify, locate and notify a relative or
 6 friend of the deceased within that ***[five]*** *one** year period. **A*
 6A *diligent effort shall include a certified letter, return receipt re-*
 6B *quested, mailed to the person who authorized the cremation.**

7 As used in this section, "cremains" means that substance which
 8 remains after the cremation of a dead human body.

1 3. The Commissioner of the Department of Health may promul-
 2 gate the rules and regulations necessary to effectuate the purposes
 3 of this act, pursuant to the "Administrative Procedure Act," P. L.
 4 1968, c. 410 (C. 52:14B-1 et seq.).

1 4. This act shall take effect 180 days following enactment.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
 is not enacted and is intended to be omitted in the law.**

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted January 27, 1983.**

STATEMENT

This bill would require a time lapse of 48 hours and certification by the county medical examiner as to the cause of death before a dead human body could be cremated. In addition funeral directors would be permitted to dispose of cremains—that substance which remains after the cremation of a dead human body—if they remain unclaimed after a period of five years.

A2211 (1982)

**ASSEMBLY HIGHER EDUCATION AND REGULATED
PROFESSIONS COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 2211

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 27, 1983

Assembly Bill No. 2211 with Assembly committee amendments provides that at least 24 hours must elapse between the time of death and the cremation of a dead human body. The bill also provides that the remains of a dead human body may be disposed of after one year if they have not been claimed by a relative or friend.

The committee amended the bill to decrease the waiting period from 48 hours to 24 hours between death and cremation and from five years to one year for disposal of unclaimed cremains. The committee also deleted the requirement that the county medical examiner certify the cause of death prior to cremation.

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SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2211

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STATE OF NEW JERSEY

DATED: JUNE 30, 1983

This bill provides that at least 24 hours elapse between the time of death and the cremation of a dead human body. The bill also provides that the cremains of a dead human body may be disposed of after one year if they have not been claimed by a relative or friend.

The bill is identical to Senate Bill No. 1944 with Senate committee amendments.