

CHAPTER 75**(SB 9)**

AN ACT relating to dead bodies.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 213 IS CREATED TO READ AS FOLLOWS:

- (1) *In the event that a homicide has been committed and the person charged with the homicide refuses to permit the burial of the body of the deceased person who was the victim of his or her alleged homicide, any member of the family of the deceased, either by consanguinity or affinity, may apply to the Circuit Court in the county in which the body of the deceased is located for an order to release the body of the deceased to the applicant for burial, cremation, or other lawful means of disposition.*
- (2) *The Circuit Court, after a hearing in the matter at which the person alleged to have committed the homicide has been afforded the opportunity to appear at the hearing either in person or by counsel or both, shall, if good cause is shown for the release of the body to the applicant, issue an order granting the release of the body to the applicant for burial, cremation, or other lawful means of disposition.*

Approved March 28, 2006.