

1 AN ACT relating to the disposition of human remains.

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

3 ➔Section 1. KRS 367.97524 is amended to read as follows:

- 4 (1) A crematory authority shall not conduct any cremations, nor accept a body for
5 cremation, unless it has a cremation authorization form signed by the authorizing
6 agent clearly stating the disposition to be made of the cremated remains.
- 7 (2) Cremated remains shall be disposed of by placing them in a grave, crypt, or niche;
8 by scattering them in a scattering area; or in any manner on the private property of a
9 consenting owner. The crematory authority or funeral director as defined in KRS
10 316.010 may deliver, either in person or by a method that has an internal tracking
11 system that provides a receipt signed by the person accepting delivery, the cremated
12 remains to the designated individual specified on the cremation authorization form.
13 Upon receipt of the cremated remains, the individual receiving them may keep or
14 transport them in any manner in this Commonwealth without a permit. After
15 delivery, the crematory authority or funeral home shall be discharged from any legal
16 obligation or liability concerning the cremated remains relative to disposition.
- 17 (3) ***If the cremated remains have remained unclaimed for a period of at least two (2)***
18 ***years, a funeral director may inter, bury, entomb, or place the cremated remains***
19 ***in a columbarium or may deliver the cremated remains to a bona fide religious***
20 ***society, veterans organization, or civic group in person or by a delivery method***
21 ***that utilizes an internal tracking system that provides a receipt signed by the***
22 ***individual accepting delivery, for the sole purpose of interment, burial,***
23 ***entombment, or placement in a columbarium. If such a delivery is made, the***
24 ***funeral director or crematory authority shall maintain records of the delivery for***
25 ***at least ten (10) years from the date of delivery.***
- 26 (4) A crematory authority or a licensed funeral director arranging a cremation shall not
27 be held liable for good faith reliance on representations made by the authorizing

1 agent regarding the authority to cremate.

2 (5) A crematory authority or licensed funeral director shall not be held liable for
3 delivering cremated remains that have been in their possession for two (2) years
4 or more to a bona fide religious society, veterans group, or civic organization for
5 the sole purpose of interment, burial, entombment, or placement in a
6 columbarium.