

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General, Housing and Military Affairs to which was
3 referred House Bill No. 661 entitled “An act relating to exhumation
4 requirements and notice” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 5212 is amended to read:

8 § 5212. PERMIT TO REMOVE DEAD BODIES; NOTICE

9 * * *

10 (b) An applicant for a removal permit shall publish notice of his or her
11 intent to remove the remains. This notice shall be published for two successive
12 weeks in a newspaper of general circulation in the municipality in which the
13 body is interred or entombed. The notice shall include a statement that the
14 spouse, child, parent, sibling, or descendant of the deceased, or that the
15 ~~cemetary commissioner~~ Cemetery Commissioner or other municipal authority
16 responsible for cemeteries in the municipality may object to the proposed
17 removal by filing a complaint in the ~~probate division of the superior court~~
18 Probate Division of the Superior Court of the district in which the body is
19 located as provided in section 5212a of this title. In addition to the published
20 notice, an applicant for a removal permit shall notify directly, by certified mail,

1 the town clerk in the municipality in which the body is interred or
2 entombed and:

3 (1)(A) the surviving spouse of the deceased, if any;

4 (B) all surviving adult children of the deceased;

5 (C) all surviving parents of the deceased; and

6 (D) all surviving adult siblings of the deceased;

7 (2) any descendants of the deceased if the individuals listed in
8 subdivisions (1)(A)-(D) of this subsection are nonexistent.

9 * * *

10 Sec. 2. 18 V.S.A. § 5212a is amended to read:

11 § 5212a. REMOVAL; OBJECTIONS

12 (a) Unless removal is otherwise authorized by law, a spouse, child, parent,
13 or sibling of the deceased may, after receipt of the certified mail as required
14 under section 5212 of this title or within 30 days after the date notice was last
15 published under section 5212 of this title, object to the proposed removal by
16 filing a complaint in the ~~probate division of the superior court~~ Probate Division
17 of the Superior Court of the district in which the body is interred or entombed.

18 A copy of the complaint shall be filed with the clerk of the town where the
19 body is interred or entombed.

20 * * *

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on July 1, 2014.

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10 (Committee vote: _____)

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Representative Moran

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FOR THE COMMITTEE