

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 41
3 entitled “An act relating to creating a felony penalty for abuse of a corpse”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 13 V.S.A. § 3761a is added to read:

8 § 3761a. ABUSE OF A DEAD HUMAN BODY

9 (a) An individual is guilty of abuse of a dead human body if the individual,
10 knowingly without legal authorization, intentionally hides, burns, mutilates,
11 disfigures, dismembers, desecrates, or otherwise conceals or destroys a dead
12 human body.

13 (b) An individual who violates subsection (a) of this section is guilty of
14 aggravated abuse of a dead human body if the individual intentionally:

15 (1) hides, transports, buries, or otherwise conceals a dead human body
16 to conceal a crime or avoid apprehension, prosecution, or conviction of a
17 crime;

18 (2) burns, mutilates, disfigures, dismembers, desecrates, or otherwise
19 destroys a dead human body to conceal a crime or avoid apprehension,
20 prosecution, or conviction of a crime; or

1 (3) commits or attempts to commit sexual conduct against a dead human
2 body.

3 (c)(1) An individual who violates subsection (a) of this section shall be
4 imprisoned for not more than five years or fined not more than \$5,000.00, or
5 both.

6 (2) A person who violates subsection (b) of this section shall be
7 imprisoned not more than 15 years and may be fined not more than
8 \$10,000.00, or both.

9 (d) As used in this section:

10 (1) “Dead human body” does not include the cremated remains of an
11 individual.

12 (2) “Sexual conduct” means any of the following committed against a
13 dead human body:

14 (A) any conduct involving contact between the penis and the vulva,
15 the penis and the penis, the penis and the anus, the mouth and the penis, the
16 mouth and the anus, the vulva and the vulva, or the mouth and the vulva;

17 (B) any intrusion, however slight, by any part of an individual’s body
18 or any object into any part of a dead human body with the intent of arousing,
19 appealing to, or gratifying the lust, passions, or sexual desire of any individual;

20 (C) any touching of the dead human body with the intent of arousing,
21 appealing to, or gratifying the lust, passions, or sexual desire of any individual;

1 (D) masturbation; or

2 (E) bestiality.

3 Sec. 2. 18 V.S.A. § 5211 is amended to read:

4 § 5211. UNAUTHORIZED BURIAL OR REMOVAL; PENALTY

5 A person who buries, entombs, transports, or removes ~~the~~ a dead human
6 body ~~of a person~~ without a burial-transit permit so to do, or in any other
7 manner or at any other time or place than as specified in such permit, shall be
8 ~~imprisoned not more than five years or fined not more than \$1,000.00, or both.~~

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on July 1, 2025.

11

12 and that after passage the title of the bill be amended to read: “An act relating
13 to abuse of a dead human body”

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15 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE