

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 THE DEAD BODY OF A PERSON

9 (a) No person shall, knowingly without legal authorization, intentionally
10 burn, mutilate, disfigure, dismember, or destroy the dead body of a person.

11 (b)(1) No person shall intentionally bury, transport, hide, conceal, burn,
12 mutilate, disfigure, dismember, or destroy the dead body of a person for the
13 purpose of concealing a crime or avoiding apprehension, prosecution, or
14 conviction of a crime.

15 (2) No person shall commit sexual conduct upon the dead body of a
16 person.

17 (c)(1) A person who violates subsection (a) of this section shall be
18 imprisoned for not more than five years or fined not more than \$5,000.00, or
19 both.

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

1 (d) As used in this section:

2 (1) “Dead body of a person” does not include the cremated remains of a
3 person.

4 (2) “Sexual conduct” means any of the following committed against the
5 dead body of a person:

6 (A) any conduct involving contact between the penis and the vulva,
7 the penis and the penis, the penis and the anus, the mouth and the penis, the
8 mouth and the anus, the vulva and the vulva, or the mouth and the vulva;

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

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

14 (D) masturbation; or

15 (E) bestiality.

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

17 § 5211. UNAUTHORIZED BURIAL OR REMOVAL; PENALTY

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

1 Sec. 3. EFFECTIVE DATE

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

3

4 and that after passage the title of the bill be amended to read: “An act relating
5 to abuse of the dead body of a person”

6

7 (Committee vote: _____)

8

9

Representative _____

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FOR THE COMMITTEE