

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 586 Session of
2013

INTRODUCED BY BRUBAKER, GREENLEAF, TOMLINSON, FONTANA, BREWSTER,
VOGEL, VULAKOVICH, STACK, WHITE, ERICKSON, EICHELBERGER,
ALLOWAY, RAFFERTY, WAUGH, TARTAGLIONE, FARNESE, MENSCH,
SOLOBAY, BROWNE, SCARNATI, HUGHES, BOSCOLA AND FERLO,
MARCH 1, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 24, 2013

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, in ownership of property
3 and legal title and equitable estate, further providing for
4 right to dispose of a decedent's remains.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Section 305(a) of Title 20 of the Pennsylvania~~ <--
8 ~~Consolidated Statutes is amended and subsection (e) is amended~~
9 ~~by adding a definition to read:~~

10 SECTION 1. SECTION 305(A) OF TITLE 20 OF THE PENNSYLVANIA <--
11 CONSOLIDATED STATUTES IS AMENDED, SUBSECTION (E) IS AMENDED BY
12 ADDING DEFINITIONS AND THE SECTION IS AMENDED BY ADDING A
13 SUBSECTION TO READ:

14 § 305. Right to dispose of a decedent's remains.

15 (a) General rule.--[The] EXCEPT AS SPECIFIED IN SUBSECTION <--
16 (A.1), THE determination of the final disposition of a

1 decedent's remains shall be as set forth in this section unless
2 otherwise specifically provided by ~~DD Form 93~~ or waiver and <--
3 agreement of the person entitled to make such determination
4 under this section, subject to the provisions of ~~†~~a valid will <--
5 executed by the decedent and~~†~~ section 8611(a) (relating to <--
6 persons who may execute anatomical gift).

7 (A.1) EXCEPTION FOR MEMBERS OF THE ARMED FORCES.--THE <--
8 DETERMINATION OF THE FINAL DISPOSITION OF A DECEDENT'S REMAINS
9 SHALL BE AS SET FORTH IN THIS SECTION UNLESS OTHERWISE
10 SPECIFICALLY PROVIDED BY A DD FORM-93 EXECUTED LATER IN TIME
11 THAN A VALID WILL EXECUTED BY THE DECEDENT OR A WAIVER AND
12 AGREEMENT OF THE PERSON ENTITLED TO MAKE SUCH DETERMINATION
13 UNDER THIS SECTION, SUBJECT TO THE PROVISIONS OF SECTION
14 8611(A).

15 * * *

16 (e) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection:

19 "ARMED FORCES." THE ARMED FORCES OF THE UNITED STATES, <--
20 INCLUDING A RESERVE COMPONENT OR THE NATIONAL GUARD.

21 * * *

22 "DD Form 93." A valid document or a successor form provided
23 by the Department of Defense that is signed by a member of the
24 armed ~~services~~ FORCES and designates a person to direct the <--
25 disposition of the remains of the person who signed the form.

26 * * *

27 Section 2. This act shall take effect in 60 days.