

PROBATE, ESTATES AND FIDUCIARIES CODE (20 PA.C.S.) - RIGHT TO
DISPOSE OF A DECEDENT'S REMAINS

Act of Jul. 2, 2013, P.L. 254, No. 45

Cl. 20

Session of 2013

No. 2013-45

SB 586

AN ACT

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

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

Section 1. Section 305(a) of Title 20 of the Pennsylvania Consolidated Statutes is amended, subsection (e) is amended by adding definitions and the section is amended by adding a subsection to read:

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

(a) General rule.--[The] **Except as specified in subsection (a.1), the** determination of the final disposition of a decedent's remains shall be as set forth in this section unless otherwise specifically provided by waiver and agreement of the person entitled to make such determination under this section, subject to the provisions of a valid will executed by the decedent and section 8611(a) (relating to persons who may execute anatomical gift).

(a.1) Exception for members of the armed forces.--The determination of the final disposition of a decedent's remains shall be as set forth in this section unless otherwise specifically provided by a DD Form 93 executed later in time than a valid will executed by the decedent or a waiver and agreement of the person entitled to make such determination under this section, subject to the provisions of section 8611(a).

* * *

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

"Armed forces." The armed forces of the United States, including a reserve component or the National Guard.

* * *

"DD Form 93." A valid document or a successor form provided by the Department of Defense that is signed by a member of the armed forces and designates a person to direct the disposition of the remains of the person who signed the form.

* * *

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

APPROVED--The 2nd day of July, A.D. 2013.

TOM CORBETT