

2024 -- S 2816 SUBSTITUTE A

LC004442/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- OFFICE OF STATE MEDICAL EXAMINERS

Introduced By: Senators Ciccone, F. Lombardi, DiPalma, Britto, de la Cruz, and Rogers

Date Introduced: March 22, 2024

Referred To: Senate Health & Human Services

(Dept of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-4-10 of the General Laws in Chapter 23-4 entitled "Office of State  
2 Medical Examiners" is hereby amended to read as follows:

3 **23-4-10. Disposition of deceased bodies.**

4 (a) The office of state medical examiners shall, after any postmortem external examination  
5 or any autopsy, promptly release the deceased body to the relatives, representatives or domestic  
6 partners ~~of the deceased. The cost of transporting the deceased body to a mortuary within the state~~  
7 ~~of the relatives' or domestic partner's choice shall be borne by the state if the autopsy was required~~  
8 ~~to be performed as provided in this chapter~~ or other persons authorized by law to make  
9 arrangements for the disposition of the decedent's remains. The cost of transporting the deceased  
10 body to the office of state medical examiners shall be borne by the state if the autopsy was required  
11 to be performed as provided in this chapter. If the relatives, representatives or domestic partners of  
12 the decedent or other person authorized by law to make arrangements for the disposition of the  
13 decedent's remains:

14 (i) Fails or refuses to claim the body within fourteen (14) days of receiving notice of the  
15 death of the decedent; or

16 (ii) Fails or refuses to make arrangements with a funeral home for the removal of the body  
17 from the state medical examiner's morgue within thirty (30) days of receiving notice of the death  
18 of the decedent, then the body shall be deemed unclaimed and shall be buried in accordance with  
19 § 40-6-3.10. If there are no known relatives, representatives or domestic partners, ~~the office of state~~

1 ~~medical examiners~~, after reasonable public notices, [the body shall be deemed unclaimed and the](#)  
2 [office of state medical examiners](#) shall cause the body of the deceased person to be buried [in](#)  
3 [accordance with § 40-6-3.10](#). The general treasurer of the state shall have first priority in recovering  
4 the expenses of burial from the estate of the deceased person.

5 (b) For the purpose of this chapter, “domestic partner” shall be defined as a person who,  
6 prior to the decedent’s death, was in an exclusive, intimate and committed relationship with the  
7 decedent, and who certifies by affidavit that their relationship met the following qualifications:

8 (1) Both partners were at least eighteen (18) years of age and were mentally competent to  
9 contract;

10 (2) Neither partner is married to anyone else;

11 (3) Partners were not related by blood to a degree which would prohibit marriage in the  
12 state of Rhode Island;

13 (4) Partners resided together and had resided together for at least one year at the time of  
14 death; and

15 (5) Partners were financially interdependent as evidenced by at least two (2) of the  
16 following:

17 (i) Domestic partnership agreement or relationship contract;

18 (ii) Joint mortgage or joint ownership of primary residence;

19 (iii) Two (2) of the following:

20 (A) Joint ownership of motor vehicle;

21 (B) Joint checking account;

22 (C) Joint credit account;

23 (D) Joint lease; and/or

24 (iv) The domestic partner had been designated as a beneficiary for the decedent’s will,  
25 retirement contract or life insurance.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1 This act would provide for procedures for the burial of unclaimed remains.
- 2 This act would take effect upon passage.

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