



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 433

S.P. 162

In Senate, February 24, 2015

An Act To Clarify the Liability of Funeral Practitioners

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative BLACK of Wilton and
Senators: BAKER of Sagadahoc, HAMPER of Oxford, LANGLEY of Hancock, MASON of
Androscoggin, Representatives: DION of Portland, NUTTING of Oakland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2843-A, sub-§10, ¶F** is enacted to read:

3 F. A funeral director or practitioner of funeral service who, in good faith, acts upon
4 the instructions of a party that misrepresents that party's custody and control may not
5 be held civilly or criminally liable and is not subject to disciplinary action for acting
6 in accordance with those instructions.

7 **SUMMARY**

8 This bill provides immunity from disciplinary action and civil and criminal liability
9 for a funeral director or a practitioner of funeral service who, with respect to the remains
10 of a deceased person, acts in good faith upon the instructions of an individual who
11 misrepresents that individual's custody and control of that deceased person.