

**ASSEMBLY BILL**

**No. 2672**

---

---

**Introduced by Assembly Member Bonilla**

February 19, 2016

---

---

An act to amend Section 8001 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2672, as introduced, Bonilla. Human remains: disinterment and removal.

Existing law authorizes the remains of a deceased person to be removed from a cemetery upon written order of the health department having jurisdiction or the superior court of the county in which the cemetery is situated. Existing law authorizes the remains of a deceased person to be removed from a plot in a cemetery with the consent of the cemetery authority and the written consent of a surviving family member, as specified. Under specified circumstances, existing law also authorizes the board of supervisors of a county that owns a cemetery authority to order the disinterment and removal of all human remains interred in the cemetery, subject to specified procedures. Existing law requires the publication of the notice of declaration of intended abandonment and removal by the county at least 60 days prior to removal of human remains.

This bill would instead require that publication of notice to occur at least 70 days prior to removal of human remains.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8001 of the Health and Safety Code is  
 2 amended to read:  
 3 8001. Any resolution or declaration for abandonment adopted  
 4 and made under ~~the provisions of~~ this article shall specify and  
 5 declare that at any time after the expiration of ~~60~~ 70 days after the  
 6 first publication of the notice of declaration of intended  
 7 abandonment and removal, the human remains then remaining in  
 8 the cemetery ~~will~~ *shall* be removed by the county owning the  
 9 cemetery. Notice of the declaration of intended abandonment of  
 10 the cemetery and proposed removal of the human remains interred  
 11 ~~therein in the cemetery~~ shall be given to all *interested* persons  
 12 ~~interested therein~~ by publication in the newspaper of general  
 13 circulation published in the county determined by the board of  
 14 supervisors most likely to give notice to the parties concerned.  
 15 Publication shall be made once a week for four consecutive times.  
 16 The notice shall be entitled “Notice of Declaration of Abandonment  
 17 of Lands for Cemetery Purposes and of Intention to Remove  
 18 Human Bodies Interred Therein,” and shall specify a date not less  
 19 than ~~60~~ 70 days after the first publication of the notice when the  
 20 county controlling the cemetery lands and causing the notice to  
 21 be published will proceed to remove the human remains then  
 22 remaining in ~~such~~ *that* cemetery. Notice shall also be mailed to  
 23 any known living heir-at-law of any person whose remains are  
 24 interred in the cemetery when the address of the heir is known.

O