

1 SB472
2 169176-1
3 By Senator Bussman
4 RFD: Health and Human Services
5 First Read: 12-MAY-15

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8 SYNOPSIS: Under existing law, there is no specific law
9 authorizing the Department of Public Health to
10 address leakage that occurs from a mausoleum,
11 crypt, or other place where human remains are
12 interred.

13 This bill would authorize a county board of
14 health to abate any leakage onto the surface from a
15 source where human remains are interred.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
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21 Relating to cemeteries; to add Section 22-20-4.1 to
22 the Code of Alabama 1975, to authorize a county board of
23 health to abate any leakage onto the surface from a source
24 where human remains are interred.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 22-20-4.1 is added to the Code of
27 Alabama 1975, to read as follows:

1 §22-20-4.1.

2 In the event body fluids or suspected bodily fluids,
3 leak onto the surface from any source where human remains are
4 interred, the county board of health may take whatever action
5 it deems necessary to inspect the area and require the
6 responsible person to abate the leakage, including, but not
7 limited to, bringing an action for injunctive relief in a
8 court of competent jurisdiction. The Department of Public
9 Health may promulgate rules in accordance with the
10 Administrative Procedure Act to implement and administer this
11 section.

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.