

AN ACT

ENTITLED, An Act to remove the required waiting period before cremated remains may be released to be scattered.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-26A-27 be amended to read as follows:

34-26A-27. Cremated remains may be scattered over a public waterway or sea, or on the private property of a consenting owner pursuant to the provisions of this chapter, if they are reduced to a particle size of one-eighth inch or less. A person may utilize a boat or airplane to perform the scattering. Cremated remains shall be removed from their closed container before they are scattered. Any person who scatters human remains, pursuant to this section, shall file with the local registrar of births and deaths, in the county nearest the point where the cremated remains are to be scattered, a verified statement containing the name of the deceased person, the time and place of death, the place at which the cremated remains are to be scattered, and any other information that the local registrar of births and deaths may require. If cremated remains are to be scattered pursuant to this section, the crematory authority may not release the cremated remains to the authorizing agent until the crematory authority has been provided with a receipt indicating that the proper filing has been made with the local registrar of births and deaths. The scattering of cremated remains in violation of this section is a Class 2 misdemeanor.

An Act to remove the required waiting period before cremated remains may be released to be scattered.

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I certify that the attached Act originated in the

SENATE as Bill No. 103

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 103
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State