

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 625 (2012)

Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

---

1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Committee  
3 Representative Roberson, K. offered the following:  
4

**Amendment (with title amendment)**

6 Remove lines 277-439 and insert:

7 (c) Pay or reimburse the reasonable expenses, as  
8 determined by the anatomical board, incurred by a funeral  
9 establishment or removal service licensed under chapter 497, for  
10 the removal, storage and transportation of unclaimed human  
11 remains any person delivering the bodies as described in this  
12 chapter to the anatomical board, and is further empowered to

13 (d) Enter into contracts and perform such other acts as  
14 are necessary for to the proper performance of its duties.

15 (2) The anatomical board is required to keep a complete  
16 record of all fees and other financial transactions. of said  
17 anatomical board shall be kept and audited annually by the  
18 Department of Financial Services, and a report of such audit  
19 shall be made annually to the University of Florida. The

410095 - h625-line277.docx

Published On: 2/25/2012 6:13:39 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 625 (2012)

Amendment No. 1.

20 University of Florida shall conduct an audit of the financial  
21 records of the anatomical board, at least once every 3 years, or  
22 more frequently if the university deems it necessary. Within 90  
23 days after completing the audit, the university shall provide a  
24 copy of the audit to the Department of Financial Services. The  
25 university may contract with a certified public accounting firm  
26 to provide for the audit, which may be paid from the fees  
27 collected by the anatomical board.

28 Section 10. Section 406.59, Florida Statutes, is amended  
29 to read:

30 406.59 Institutions receiving human remains ~~bodies~~. ~~A No~~  
31 ~~university, school, college, teaching hospital, or institution~~  
32 ~~may not, or association shall be allowed or permitted to receive~~  
33 ~~any human remains from the anatomical board such body or bodies~~  
34 ~~as described in this chapter until its facilities are have been~~  
35 ~~inspected and approved by the anatomical board. Human remains~~  
36 ~~All such bodies received by such university, school, college,~~  
37 ~~teaching hospital, or institution may not, or association shall~~  
38 ~~be used for any no other purpose other than the promotion of~~  
39 ~~medical education or research science.~~

40 Section 11. Section 406.60, Florida Statutes, is amended  
41 to read:

42 406.60 Disposition of human remains ~~bodies~~ after use. ~~At~~  
43 ~~any time When human remains any body or bodies or part or parts~~  
44 ~~of any body or bodies, as described in this chapter, shall have~~  
45 ~~been used for, and are not deemed of any no further value to,~~  
46 ~~medical or dental education or research science, then the~~  
47 anatomical board or a cinerator facility licensed under chapter

410095 - h625-line277.docx

Published On: 2/25/2012 6:13:39 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 625 (2012)

Amendment No. 1.

48 ~~497 person or persons having charge of said body or parts of~~  
49 ~~said body~~ may dispose of the remains or any part thereof by  
50 cremation.

51 Section 12. Section 406.61, Florida Statutes, is amended  
52 to read:

53 406.61 Selling, buying, or conveying human remains ~~bodies~~  
54 outside state prohibited; exceptions;~~;~~ penalty.-

55 (1) Any person who sells, ~~or~~ buys human remains or any  
56 part thereof, ~~body or parts of bodies as described in this~~  
57 ~~chapter~~ or any person except a recognized Florida medical or  
58 dental school who transmits or conveys or causes to be  
59 transmitted or conveyed such remains ~~body~~ or part thereof ~~parts~~  
60 ~~of bodies~~ to any place outside this state, commits a misdemeanor  
61 of the first degree, punishable as provided in s. ss. 775.082 or  
62 s. and 775.083. However, this chapter does not prohibit the  
63 anatomical board from transporting human remains ~~specimens~~  
64 outside the state for educational or scientific purposes or  
65 prohibit the transport of human remains, any part of such  
66 remains ~~bodies, parts of bodies,~~ or tissue specimens for  
67 purposes ~~in furtherance~~ of lawful examination, investigation, or  
68 autopsy conducted pursuant to s. 406.11. Any person,  
69 institution, or organization that conveys human remains ~~bodies~~  
70 or any part ~~parts of bodies~~ into or out of the state for medical  
71 or dental education or research purposes shall notify the  
72 anatomical board of such intent and receive approval from the  
73 board.

74 (2) Human remains received in this state by the anatomical  
75 board, or a non-transplant anatomical donation organization must

Amendment No. 1.

76 be accompanied by the original burial-transit permit issued  
77 pursuant to s. 382.007. The remains may not be dissected,  
78 segmented or disarticulated until the district medical examiner  
79 of the county in which the death occurred has granted approval  
80 pursuant to s. 406.11.

81 (3) Monetary inducement or other valuable consideration,  
82 including goods or services may not be offered to a donor,  
83 legally authorized person, the donor's estate, or other third  
84 party. As used in this section, the term valuable consideration  
85 does not include, and nothing in this section prohibits the  
86 payment or reimbursement of, the reasonable cost associated with  
87 the removal, storage and transportation of human remains,  
88 including payment or reimbursement of a funeral establishment or  
89 removal service licensed under ch. 497, or the reasonable costs  
90 after use including the disposition of human remains, pursuant  
91 to s. 406.60.

92 (4)(2) Any entity accredited by the American Association  
93 of Museums may convey plastinated human remains ~~bodies~~ or any  
94 part thereof within, ~~parts of bodies~~ into, or out of the state  
95 for exhibition and public educational purposes without the  
96 consent of the anatomical board if the accredited entity:

97 (a) Notifies the anatomical board of the conveyance and  
98 the duration and location of the exhibition at least 30 days  
99 before the intended conveyance.

100 (b) Submits to the anatomical board a description of the  
101 remains ~~bodies~~ or any part thereof ~~parts of bodies~~ and the name  
102 and address of the company providing the remains ~~bodies~~ or any  
103 part thereof ~~parts of bodies~~.

410095 - h625-line277.docx

Published On: 2/25/2012 6:13:39 PM

Amendment No. 1.

104 (c) Submits to the anatomical board documentation that the  
105 remains or each part thereof ~~body~~ was donated by the decedent or  
106 his or her next of kin for purposes of plastination and public  
107 exhibition, or, in lieu of such documentation, an affidavit  
108 stating that the remains or each part thereof ~~body~~ was donated  
109 directly by the decedent or his or her next of kin for such  
110 purposes to the company providing the remains ~~body~~ and that such  
111 company has a donation form on file for the remains ~~body~~.

112 ~~(3) Notwithstanding paragraph (2)(c) and in lieu of the~~  
113 ~~documentation or affidavit required under paragraph (2)(c), for~~  
114 ~~a plastinated body that, before July 1, 2009, was exhibited in~~  
115 ~~this state by any entity accredited by the American Association~~  
116 ~~of Museums, such an accredited entity may submit an affidavit to~~  
117 ~~the board stating that the body was legally acquired and that~~  
118 ~~the company providing the body has acquisition documentation on~~  
119 ~~file for the body. This subsection expires January 1, 2012.~~

120 Section 13. Section 406.54, Florida Statutes, is repealed.

121 Section 14. Subsection (1) of section 765.513, Florida  
122 Statutes, is amended to read:

123 765.513 Donees; purposes for which anatomical gifts may be  
124 made.—

125 (1) The following persons or entities may become donees of  
126 anatomical gifts of bodies or parts of them for the purposes  
127 stated:

128 (a) Any procurement organization or accredited medical or  
129 dental school, college, or university for education, research,  
130 therapy, or transplantation.

Amendment No. 1.

131 (b) Any individual specified by name for therapy or  
132 transplantation needed by him or her.

133 (c) The anatomical board as defined in s. 406.49(1) for  
134 donation of the whole body for medical or dental education or  
135 research.

136 Section 15. Subsection (7) of s. 382.002, Florida Statutes,  
137 is amended to read:

138 (7) "Final Disposition" means the burial, interment,  
139 cremation, removal from the state, donation, or other authorized  
140 disposition of a dead body or fetus described in subsection (6).  
141 In the case of cremation, dispersion of the ashes or cremation  
142 residue is considered to occur after the final disposition; the  
143 cremation itself is considered final disposition. In the case of  
144 anatomical donation of a dead body, the donation itself is  
145 considered final disposition.

146 Section 16. Subsection (32) of s. 497.005, Florida  
147 Statutes, is amended to read:

148 (32) "Final Disposition" means the final disposal of a dead  
149 human body by earth interment, aboveground interment, cremation,  
150 burial at sea, anatomical donation, or delivery to a medical  
151 institution for lawful dissection if the medical institution or  
152 entity receiving the anatomical donation assumes responsibility  
153 for ~~disposal~~ disposition after use pursuant to s. 406.60. "Final  
154 disposition" does not include the disposal or distribution of  
155 cremated remains and residue of cremated remains.

156 Section 17. This act shall take effect July 1, 2012.  
157  
158

Amendment No. 1.

159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184

-----

**T I T L E   A M E N D M E N T**

Remove lines 31-51 and insert:  
revising provisions prohibiting the selling, buying,  
of human remains or the transmitting or conveying of  
such remains outside the state; providing penalties;  
allowing certain accredited schools and organizations  
to convey human remains in or out of state for medical  
or research purposes; requiring documentation prior to  
use of human remains received in the state; defining  
valuable consideration and providing exemptions for  
certain costs; providing an exemption; deleting  
provisions relating to procedures for the conveyance  
of plastinated human remains into or out of the state  
pursuant to their scheduled expiration; conforming  
terminology; repealing s. 406.54, F.S., relating to  
claims of bodies after delivery to the anatomical  
board; amending s. 765.513, F.S.; revising the list of  
donees who may accept anatomical gifts and the  
purposes for which such a gift may be used; amending  
s. 382.002, F.S., including anatomical donation as  
final disposition; amending s. 497.005, F.S.,  
including anatomical donation as final disposition;  
providing an effective date.