

Department of Planning and Budget 2014 Fiscal Impact Statement

1. Bill Number: SB 403

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Alexander

3. Committee: Education and Health

4. Title: Disposition of dead bodies

5. Summary:

If an inmate dies before his release and while in custody of the Department of Corrections and his body is unclaimed and the Department of Health refuses to accept the body for scientific study, current law directs that the Department of Corrections be responsible for the costs of cremation or other disposition of the body.

The proposed legislation would stipulate that the Department of Corrections must accept the body for proper disposition, as well as bear the expense of disposing of it. The legislation also makes the Department of Corrections immune from any civil liability for any act, decision, or omission resulting from acceptance and disposition of the body, unless such act, decision, or omission resulted from bad faith or malicious intent

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No fiscal impact. See Item 8 below.

8. Fiscal Implications:

The proposed legislation would not increase the costs that the Department of Corrections would incur in disposing of the unclaimed bodies of inmates who died in its custody. By providing the agency immunity from civil liability in its actions taken in disposing of unclaimed bodies, the legislation could result in savings for the Commonwealth.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/13/2014

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