

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** S.F. 341

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**Subject:** Disposition of deceased person; domestic partners

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### Overview

This bill adds domestic partners to various provisions of law related to wrongful death actions, and includes them in a prioritized list for determining the proper disposition of a deceased person's remains.

#### Section

- 1**      **Claims for wrongful death; state.** Permits a surviving domestic partner to provide the required notice to the state in anticipation of a wrongful death claim for which the payment is demanded from the state.

A definition of domestic partner enacted later in the bill is included by cross reference in this section.
- 2**      **Right to control; duty of disposition.** Adds a domestic partner of a decedent to the prioritized list of individuals with the right to control the disposition of the remains of a deceased person. A domestic partner's directions would supersede those of any adult children, parents, adult siblings, and others, but would not override a written instrument of the decedent.

A definition of "domestic partner" is provided.
- 3**      **Claims for wrongful death; political subdivisions.** Permits a surviving domestic partner to provide the required notice to a political subdivision in anticipation of a wrongful death claim for which the payment is demanded from that subdivision.

A definition of domestic partner enacted later in the bill is included by cross reference in this section.
- 4**      **Wrongful death action; pecuniary loss.** Permits a jury's wrongful death award to provide appropriate compensation to a surviving domestic partner for the pecuniary loss resulting from the death.

A definition of "domestic partner" is provided.

- 5**      **Appointment of trustee.** Permits a surviving domestic partner to petition a court to appoint a trustee in a wrongful death action.