

CHAPTER 520.

AN ACT to amend 155.02 and 155.03 of the statutes, relating to the disposal of dead inmates of public institutions, dead bodies left unclaimed and corpses of persons who died of certain diseases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 155.02 of the statutes is amended to read:

155.02 DISPOSAL OF * * * UNCLAIMED CORPSES. (1) When an inmate of any state, county or municipal institution dies, the superintendent or other person in charge of the institution shall immediately notify a relative of the decedent. *A public officer having the possession or the disposition of a corpse shall immediately notify a relative of the decedent. If no relative is known, or discoverable by use of ordinary diligence, notice may be dispensed with.*

(2) The superintendent shall wait 48 hours after death, *and other public officers 48 hours after taking possession*, for the relatives to act. If they fail to arrange for taking charge of the corpse within said 48 hours, the superintendent *or other officer* may proceed as provided in this section, but relatives or friends may take over at any time * * * *before the corpse * * * has been delivered pursuant to subsection (3). Where no relative of a deceased is known or discoverable the superintendent or other public officer shall not dispose of the corpse of such deceased pursuant to subsection (3) until at least 5 days after death, except that such corpse may be released for burial to any friend of the deceased not less than 48 hours after death.*

(3) If the * * * corpse is * * * in the Mendota state hospital district, * * * the university of Wisconsin *may be notified* that it may have the corpse. If the * * * corpse is * * * in the Winnebago state hospital district, * * * Marquette university or * * * *any accredited school of mortuary science at Milwaukee may be notified* that it may have the corpse. The university or college so notified shall immediately inform the superintendent *or public officer* whether it desires to have the corpse. If it does, the corpse shall be delivered accordingly, properly encased, to the most available facility for transportation to the consignee, the consignee to pay the cost of transportation.

(4) If there are advance applications for such bodies, by Marquette university * * * *or any accredited school of mortuary science*, such superintendent *or public officer* shall make an equitable distribution between them.

(5) If the corpse is not disposed of under preceding provisions of this section, the superintendent *or public officer* shall properly bury it. * * *

SECTION 2. 155.03 of the statutes is amended to read:

155.03 RESTRICTIONS ON USE OF BODIES FOR ANATOMICAL PURPOSES: EMBALMING SUCH BODIES; DELIVERY OF BODIES TO RELATIVES. (1) The corpse of one who died with smallpox, diphtheria, or scarlet fever, or who in his last sickness shall request to be buried or cremated, and of a stranger or traveler who * * * suddenly died, shall not be * * * disposed of *under section 155.02 (3)*, and no person having charge of a corpse authorized to be so disposed of, shall sell or deliver it to be used outside the state.

(2) Upon receipt of the corpse *by a university or college pursuant to section 155.02 (3)* it shall be properly embalmed and retained for 12 days before being used or dismembered and shall be delivered to any relative claiming it upon payment of expenses incurred and satisfactory proof of relationship.

Approved July 18, 1949.