WEST virginia legislature

2021 regular session

Engrossed

Committee Substitute

for

Senate Bill 53

By Senators Sypolt and Roberts

[Originating in the Committee on the Judiciary; reported on February 22, 2021]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-6-22b, relating to barring a person who has been charged with willfully and intentionally causing the death of another by a criminal complaint, indictment, or a child abuse petition from participating in or planning the funeral or burial of the deceased.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. Board of Funeral service examiners.

§30-6-22b. Barring certain persons from participating in or planning the funeral or burial of another.

A person who has been criminally charged by complaint or indictment, or by a child abuse petition, alleging aggravated circumstances under chapter 49 of this code, with willfully or intentionally causing the death of another person may not participate in or plan the funeral or burial of the deceased. The prohibition created by this section may be waived, in whole or in part, by order of the circuit court of the county in which the criminal charge or petition is pending for good cause shown.