

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §30-6-22b, relating to barring a person who has been charged with willfully
3 and intentionally causing the death of another by a criminal complaint, indictment, or a
4 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.**

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