

# State of Wisconsin



2023 Senate Bill 440

Date of enactment: **December 6, 2023**

Date of publication\*: **December 7, 2023**

## 2023 WISCONSIN ACT 84

AN ACT *to amend* 979.10 (1) (b); and *to create* 979.10 (1) (ae), 979.10 (1) (am) and 979.10 (1) (as) of the statutes; **relating to:** creation of a cremation permit application form.

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

**SECTION 1.** 979.10 (1) (ae) of the statutes is created to read:

979.10 (1) (ae) The department of health services shall design a cremation permit application form for a person to use when applying for a cremation permit under par. (a). The department shall include in the form a place for a coroner or medical examiner to state that he or she has viewed the corpse that is the subject of the permit and made personal inquiry into the cause and manner of death under sub. (2) and is of the opinion that no further examination or judicial inquiry is necessary.

**SECTION 2.** 979.10 (1) (am) of the statutes is created to read:

979.10 (1) (am) If the coroner or medical examiner of a county requires applicants for cremation permits to use an application form to apply for a cremation permit, a person who applies for a cremation permit in that county shall use the cremation permit application form designed under par. (ae) to apply for the cremation permit.

**SECTION 3.** 979.10 (1) (as) of the statutes is created to read:

979.10 (1) (as) Once completed by a coroner or medical examiner, the cremation permit application

form designed under par. (ae) may constitute a cremation permit issued under par. (a) if authorized by the coroner or medical examiner of the county in which the cremation permit is issued.

**SECTION 4.** 979.10 (1) (b) of the statutes is amended to read:

979.10 (1) (b) A coroner or medical examiner shall include in any cremation permit issued under par. (a) a statement that he or she has viewed the corpse ~~which~~ that is the subject of the permit and made personal inquiry into the cause and manner of death under sub. (2) and is of the opinion that no further examination or judicial inquiry is necessary. Unless further examination or judicial inquiry is necessary, a coroner or medical examiner shall issue a cremation permit under par. (a) within 24 hours of viewing the corpse or submission of the medical certification under s. 69.18 (2), whichever is later.

### **SECTION 5. Nonstatutory provisions.**

(1) The department of health services shall determine when the department completes the design of the cremation permit application form under s. 979.10 (1) (ae) and shall notify the legislative reference bureau of that date. The legislative reference bureau shall publish a notice in the Wisconsin Administrative Register that specifies the date the design of the form is complete.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

**SECTION 6. Initial applicability.**

(1) The treatment of s. 979.10 (1) (ae), (am), and (as) first applies to a death or the discovery of a death that occurs on the effective date of this subsection.

(2) The treatment of s. 979.10 (1) (b) first applies to a death or the discovery of a death that occurs on the effective date of this subsection.

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**SECTION 7. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of s. 979.10 (1) (ae), (am), and (as) and SECTION 6 (1) of this act take effect on the date specified in the notice published in the Wisconsin Administrative Register under SECTION 5 (1) of this act.