

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Committee Substitute

for

Senate Bill 671

SENATOR MANN, *original sponsor*

[Passed April 4, 2017; in effect 90 days from passage]

1 AN ACT to amend and reenact §18B-4-8 of the Code of West Virginia, 1931, as amended, relating
2 to the West Virginia Anatomical Board; providing that the board be reestablished under
3 the authority of the Higher Education Policy Commission; modifying composition of the
4 board; defining terms; modifying powers and responsibilities of the board; requiring the
5 board to make requisition for, receiving and making disposition of dead human bodies for
6 certain uses and purposes; requiring the board to keep full and complete records of certain
7 information, which shall be open at all times for inspection of the Attorney General and
8 any prosecuting attorney in the state; authorizing the Higher Education Policy Commission
9 to promulgate legislative rules; providing that members of the board shall not be entitled
10 to or receive compensation for services rendered in their capacity; requiring the board to
11 operate in compliance with the Revised Anatomical Gift Act; eliminating requirement that
12 certain dead human bodies buried at the public's expense be delivered to the board;
13 eliminating procedures and requirements related to unclaimed bodies subject to
14 requisition by the board; eliminating bond requirements of the board; and eliminating a
15 criminal misdemeanor offense, penalties and the imposition of liability for certain conduct.

Be it enacted by the Legislature of West Virginia:

1 That §18B-4-8 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 4. GENERAL ADMINISTRATION.

**§18B-4-8. West Virginia Anatomical Board; powers and duties relating to anatomical gifts;
requisition of bodies; autopsies; transportation of bodies; expenses of
preservation.**

1 (a) The West Virginia Anatomical Board, previously created herein, is hereby
2 reestablished under the authority of the Higher Education Policy Commission and shall consist of
3 the following four members, or their designee:

4 (1) The Dean of the Marshall University School of Medicine;

5 (2) The Dean of the West Virginia University School of Medicine;

6 (3) The Dean of the West Virginia University School of Dentistry; and

7 (4) The Dean of the West Virginia School of Osteopathic Medicine.

8 (b) For purposes of this section:

9 (1) "Board" means the West Virginia Anatomical Board; and

10 (2) "Commission" means the West Virginia Higher Education Policy Commission.

11 (c) The responsibilities of the board shall include:

12 (1) Making requisition for, receiving and making disposition of dead human bodies for the
13 scientific and educational uses and purposes of higher education institutions within the state and
14 elsewhere; and

15 (2) Keeping a full and complete record of its transactions, showing, among other things,
16 every dead human body coming under its authority, giving name, sex, age, date of death, place
17 from which received and when and from whom received, which record shall be open at all times
18 for the inspection of the Attorney General and any prosecuting attorney in the state.

19 (d) The commission may promulgate legislative rules pursuant to article three-a, chapter
20 twenty-nine-a of this code in order to effectuate the provisions of this section.

21 (e) Members of the board shall not be entitled to, or receive, any compensation for services
22 rendered in their capacity as members of the board.

23 (f) The board shall operate in compliance with the Revised Anatomical Gift Act under
24 article nineteen, chapter sixteen of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2017.

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Governor