

1 [Prohibiting the display of human remains without appropriate written authorization from the
2 deceased or the deceased's next-of-kin.]

3 **Ordinance amending the San Francisco Police Code, by adding a new Article 11.1,**
4 **beginning with Section 788, to prohibit the display of human remains without**
5 **appropriate written authorization from the deceased or the deceased's next-of-kin.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Police Code is hereby amended by adding Section 788,
11 to read as follows:

12 **SEC. 788. COMMERCIAL DISPLAY OF DEAD HUMAN BODIES.**

13 *(a) It shall be unlawful to display to the public all or part of a dead human body or bodies for*
14 *consideration or commercial purposes without valid written authorization from the deceased, which*
15 *consent may be given in the last will of the deceased, or by a person who has the right to control the*
16 *disposition of the remains pursuant to California Health and Safety Code Sections 7100 et seq., as*
17 *amended, or any successor legislation. The Director of Public Health or the Director's designee shall*
18 *determine the adequacy of the documentation offered to establish consent.*

19 *(b) The provisions of this Section shall not apply to the display of human remains:*

20 *(1) More than 100 years old;*

21 *(2) Consisting solely of human teeth or hair;*

22 *(3) As part of the ordinary display or viewing of the deceased at a licensed funeral*

23 *establishment under Article 2, Chapter 12, Division 3 of the California Business and Professions Code*
24 *(beginning with Section 7615), as amended, or any successor legislation, or as part of a similar funeral*
25 *or memorial service; or,*

1 (4) As objects of religious veneration.

2 (c) Any human remains in the possession of an institution accredited by the American
3 Association of Museums, or in the possession of a museum facility of an accredited college or
4 university, shall be presumed to be held in compliance with this Section.

5 (d) Violation of this Section shall be a misdemeanor, punishable by imprisonment in the county
6 jail for a period not to exceed one year, a fine not to exceed \$1,000, or both. The City Attorney may
7 also bring a civil action to enjoin a violation of this Section.

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10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

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13 By: _____
14 THOMAS J. OWEN
15 Deputy City Attorney

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