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DEAD BODIES - Right to remove from one registration district  
to another without permit.

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September 20, 1934

State Board of Health of Missouri,  
Jefferson City, Missouri.

Attention E. T. McGaugh, M. D.,  
State Health Commissioner

Gentlemen:

A request for an opinion has been received from  
you under date of September 1st, 1934, such request being  
in the following terms:

"If a person dies in a Hospital, can the  
undertaker from his home town claim the  
body, and remove to a neighboring county  
for burial, and is it necessary for him  
to get a permit from the local registrar  
in the city in which the death occurred to  
remove the body or can he remove it and have  
the local registrar, where the death oc-  
curred, issue him a permit for burial?"

Some hospitals in the city have forbade  
county undertakers from coming to the hos-  
pital and taking bodies back to the county  
in which they live, without procuring a  
burial permit before the body is moved. I  
want to know if the body can be moved with-  
out a permit, and the permit procured from  
the local registrar where the death occurred,  
before the body is buried, at a later date."

Revised Statutes Missouri 1929, Section 9044, pro-  
vides in part as follows: (as amended, Laws of Mo. 1933, p. 270):

"The body of any person whose death occurs  
in the state shall not be \* \* \* removed from  
or into any registration district until a  
permit for burial, removal or other disposi-  
tion shall have been properly issued by the  
local registrar of the registration district  
in which the death occurs. Provided, no such  
removal permit shall be required when a dead

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body is removed for the purpose of preparing such body for burial, but no such body shall be interred, deposited in a vault or tomb, cremated or otherwise disposed of until a permit so to do has been properly issued by the local registrar of the registration district in which the death occurs. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided:"

It is therefore our opinion that no removal permit is necessary for the removal of a dead body from one registration district into another for the purpose of preparing such body for burial, although of course, a burial permit must be obtained before the ultimate disposition of such body can be made.

Very truly yours,

EDWARD H. MILLER

ASSISTANT ATTORNEY GENERAL

APPROVED:

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(Acting) ATTORNEY GENERAL