



APPLICATION TO DISINTER/REINTER HUMAN REMAINS (REVISED 06/2021)

Pursuant to the Official Code of Georgia § 31-10-20(f) authorization for disinterment and reinterment shall be required prior to disinterment of a dead body or fetus. Such authorization shall be issued by the local registrar to a licensed funeral director or other person acting as such, upon proper application, in the county in which the dead body or dead fetus was originally interred and a local registrar who issues such authorization shall not be civilly or criminally liable therefor if it is issued in good faith. A permit shall not be required when disinterment and reinterment are in the same cemetery.

Each person with equal rights to control the disinterment of the body must complete this form. Submit all completed forms to the vital records office in the county in which the body is interred.

APPLICATION TO DISINTER AND REINTER A DEAD BODY OR FETUS, OR INTERRED CREMAINS

Form with fields: FULL NAME OF DECEDENT, DATE OF DEATH, FETAL DEATH?, COUNTY AND STATE WHERE DEATH OCCURRED, DISINTER FROM, NAME OF CEMETERY REPRESENTATIVE, NAME OF FUNERAL DIRECTOR, FUNERAL HOME NAME, NAME OF PLOT OWNER, NAME OF APPLICANT REQUESTING DISINTERMENT, ARE THERE MULTIPLE PERSONS WITH EQUAL RIGHTS TO CONTROL THE DISPOSITION OF THE REMAINS?, APPLICANT SIGNATURE, ACKNOWLEDGED TO BE TRUE BEFORE ME (NOTARY'S SIGNATURE), IMPRESS NOTARY SEAL HERE, GEORGIA COUNTY WHERE REMAINS ARE INTERRED, REINTERMENT OR CREMATION SITE, SIGNATURE OF REPRESENTATIVE WHERE BODY INTERRED, DATE SIGNED, SIGNATURE OF FUNERAL DIRECTOR, DATE SIGNED, FUNERAL DIRECTOR'S LICENSE NUMBER, SIGNATURE OF CEMETERY PLOT OWNER, DATE SIGNED, RELATIONSHIP TO DECEASED, IF YES, HOW MANY?, ATTACH AN APPLICATION TO DISINTER SIGNED AND NOTARIZED FOR EACH PERSON, BY SIGNING BELOW IN THE PRESENCE OF A NOTARY PUBLIC, THE APPLICANT ATTESTS THAT HE OR SHE HAS THE RIGHT TO CONTROL THE DISPOSITION OF THE REMAINS OF THE DECEASED PERSON, AS DEFINED BY THE OFFICIAL CODE OF GEORGIA § 31-21-7. THE APPLICANT UNDERSTANDS A FINE OF UP TO \$10,000 OR IMPRISONMENT OF UP TO FIVE YEARS, OR BOTH SHALL BE IMPOSED ON ANY PERSON WHO WILLFULLY AND KNOWINGLY MAKES A FALSE STATEMENT, AS DEFINED BY THE OFFICIAL CODE OF GEORGIA § 31-10-31. DATE SIGNED, MY TERM EXPIRES ON (DATE), IDENTIFICATION TYPE PRESENTED BY THE APPLICANT, IDENTIFICATION NUMBER.

AUTHORIZATION FOR DISINTERMENT AND REINTERMENT BY LOCAL REGISTRAR

Form with fields: PRINTED NAME OF LOCAL VITAL RECORDS REGISTRAR, SIGNATURE OF LOCAL REGISTRAR, ORGANIZATION AND ADDRESS OF LOCAL REGISTRAR, PERMIT NUMBER, DATE SIGNED BY LOCAL REGISTRAR, IMPRESS COUNTY SEAL HERE.



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Guidance for completing the application to disinter human remains

GENERAL GUIDANCE

This form serves as proper application for the disinterment and reinterment of a dead body or fetus, including interred cremains, as authorized under Rule 511-1-3-.23.

The top portion of the form must be completed in its entirety, then presented to the local vital records office in the county in which the human remains are interred. The application presented must bear the original notary seal. A photocopy of the notary seal is not acceptable.

The local vital records or deputy registrar shall review the form for completeness. If the application is satisfactory, the local registrar or deputy registrar shall complete the bottom portion of the form granting authorization for disinterment.

If one or more of the required signatures on the application cannot be obtained, then a court order shall be required to obtain authorization for disinterment. The court order must be presented along with the application.

Those involved with the disinterment must follow all local ordinances, and any rules, regulations, or restrictions adopted by the cemetery where the human remains are interred (Official Code of Georgia § 10-14-16)

This form is not to be used for human remains interred within a Department of Veteran's Affairs (VA) national cemetery. For a disinterment from a VA national cemetery, follow the disinterment process of the National Cemetery Administration (<https://www.cem.va.gov/disinterment.asp>).

The right to control the disposition of human remains are defined by Official Code of Georgia § 31-21-7. The right to control disposition, and thus obtain a disinterment permit are, in the order listed:

1. A person designated by the decedent with the right to control the disposition in an affidavit
2. The surviving spouse
3. The surviving child or children
4. The surviving parent or parents
5. The surviving brother(s) or sister(s)
6. The surviving grandparent(s)
7. The guardian of the person of the decedent at the time of the decedent's death
8. The personal representative of the estate of the decedent
9. The person in the classes of the next degree of kinship, in descending order, under the laws of descent and distribution to inherit the estate of the decedent.

If multiple people have equal rights to control the disposition (for example: multiple surviving children) then each such person must submit a completed application before authorization for the disinterment will be issued.

DEFINITIONS

- **DECEDENT** – The person who died and whose body is to be disinterred.
- **CEMETERY REPRESENTATIVE WHERE BODY ORIGINALLY INTERRED** - This is the person who owns or manages the property where the human remains are interred. Examples could be the owner of a perpetual care cemetery, the manager of a city or county cemeteries division, or the landowner where the remains are interred.
- **PLOT OWNER WHERE BODY ORIGINALLY INTERRED** - This is the person who purchased or inherited the individual plot in which the human remains are interred.
- **APPLICANT** - This is the person with the right to control the disposition of human remains, as defined above, who is applying for the authorization to disinter.