



Legislation Text

File #: Res 1391-2008, **Version:** *

Res. No. 1391

Resolution calling upon the New York State Legislature to pass bill S 7000, which requires the State Department of Health to implement a permit process for exhibitors commercially displaying human remains.

By Council Members Gerson, Brewer, Gentile, James, Palma and Sanders Jr.

Whereas, Since the mid-1990s commercial displays of human cadavers have achieved a level of notoriety; and

Whereas, Numerous organizations including *Body Worlds* and *BODIES...The Exhibition* have toured the United States and international locations displaying preserved human bodies and body parts; and

Whereas, The bodies are preserved from decaying by a process known as plastination which was patented in the 1970s by Gunther von Hagens; and

Whereas, The plastination process works by replacing water and fat, that is found within the cells of the body, with a plastic substance which allows the sample to be handled extensively, keeps the body part or segments odorless, and results in the retention of the original sample shape; and

Whereas, While this program ostensibly serves an educational purpose and generates constructive dialogue on the human body, recent controversy has sparked a debate on possible human rights violations involved in obtaining some of corpses currently on display at various exhibits; and

Whereas, According to many advocates, the reputations of some of the facilities that are transferring the bodies and the admission of several shows indicating their use of unclaimed bodies, raise concerns if these bodies are those of willful participants or those of mentally ill persons, executed prisoners or political dissidents; and

Whereas, Due to the lucrative nature of anatomical exhibitions, others have started their own 'copy-cat'

businesses which have created additional competition and have resulted in a new unregulated, underground market for obtaining cadavers, as well as a race to the bottom to maximize profits; and

Whereas, Legal, medical and ethical questions have influenced several nations and states to act to regulate and strengthen laws pertaining to anatomical donations; and

Whereas, England, Wales and Northern Ireland passed the Human Tissue Act 2004, increasing regulatory authority through the Human Tissue Authority which exercises jurisdiction over anatomical and post-mortem examinations, transplantations and the storage of human material for education, training and research; and

Whereas, Scotland passed the Human Tissue (Scotland) Act 2006 which relates to anatomical donation and creates provisions relating to hospital post-mortem examinations, organ donations and transplantations; and

Whereas, Legislation has also been introduced in the New York, California, Pennsylvania and Washington State Legislatures, seeking to regulate public displays of cadavers and ensure that any such body to be displayed is exhibited with permission and consent; and

Whereas, Furthermore, the Florida State Attorney General issued an opinion that approval should be required before the public display of cadavers; and

Whereas, A paper trail for each corpse documenting consent forms, death certificates and other critical identifying information should be required to increase the integrity of this type of business; now, therefore, be it

Resolved, That the Council of the City of New York [calls upon the New York State Legislature to pass bill S 7000, which requires the State Department of Health to implement a permit process for exhibitors commercially displaying human remains.](#)

JM
LS# 5319
April 17, 2008

