HOUSE DOCKET, NO. 1921 FILED ON: 1/20/2011

HOUSE . . . . . No. 1537

The Commonwealth of Massachusetts

PRESENTED BY:

Benjamin Swan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to funeral home expenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Benjamin Swan	*11th Hampden*
James B. Eldridge	
	☐ *[District]*
	☐

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HOUSE . . . . . No. 1537

By Mr. Swan of Springfield, a petition (accompanied by bill, House, No. 1537) of Benjamin Swan and James B. Eldridge relative to funeral home expenses. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2169* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to funeral home expenses.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 9 of chapter 117A of the General Laws as appearing is hereby amended by striking the section in its entirety and inserting in place thereof the following new section:— Section 9. The department shall provide for the decent interment of all deceased persons who are at the time of death recipients of aid or assistance under this chapter, all deceased persons who, although without means of support at the time of death, did not apply for such aid or assistance; and all unknown persons found dead. The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and if the expense of their funeral and interment is not paid by such kindred, an amount not exceeding eleven hundred dollars shall be paid by the commonwealth; provided further, that the commonwealth shall have the right of reimbursement from whatever resources may exist in the estate of said person.

SECTION 2. Section 10 of chapter 117A of the General Laws, as so appearing, is hereby amended by striking the section in its entirety and inserting in place thereof the following new section:— Section 10. In case of the decease of a poor and indigent person the commonwealth shall pay toward the expense of the funeral and interment of such person a sum not exceeding eleven hundred dollars; provided, however, that the commonwealth shall have the right of reimbursement from whatever resources may exist in the estate of said person.

SECTION 3. Section 2 of Chapter 118 of the General Laws, as so appearing, is hereby amended by striking the third paragraph in lines 29 through 35 inclusive and inserting in place

20 thereof the following new paragraph:— "The department may pay a sum not exceeding
21 eleven hundred dollars toward the funeral and interment of a recipient provided that there are
22 insufficient resources to pay for the cost of such funeral and interment. The commonwealth shall
23 have the right of reimbursement from whatever resources may exist in the estate of the
24 recipient."

25 SECTION 4. Section 7 of Chapter 118A of the General Laws, as so appearing, is hereby
26 amended by striking the section in its entirety and inserting in place thereof the following new
27 section:—

28 Section 7. The department shall provide to aged and disabled residents of the
29 commonwealth under this chapter a program of social services as enumerated under section two
30 of chapter eighteen. In addition to the other benefits authorized by this chapter, the department
31 may provide to such recipients grants of assistance in cases of fire, flood, or other disaster. The
32 department may pay a sum not exceeding eleven hundred dollars toward the funeral and
33 interment of a recipient provided that there are insufficient resources to pay for the cost of such
34 funeral and interment. The Commonwealth shall have the right of reimbursement from whatever
35 resources may exist in the estate of the recipient. SECTION 5. Section 23 of Chapter 119
36 of the General Laws, as so appearing, is hereby amended by striking the fifteenth paragraph in
37 lines 138 to 145 inclusive and inserting in place there of the following new paragraph:—

38 "H. The department may pay a sum not exceeding eleven hundred dollars toward the
39 funeral and interment of a child in its care provided that there are insufficient resources to pay
40 for the cost of such funeral and interment. The Commonwealth shall have the right of
41 reimbursement from whatever resources may exist in the estate of the child." .