

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brian S. Dempsey

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 bill:

An Act relative to deceased poor and indigent persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian S. Dempsey	3rd Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 88 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT RELATIVE TO DECEASED POOR AND INDIGENT PERSONS.

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

1 SECTION 1. Chapter 117A of the General Laws is hereby amended by striking out section 9 and inserting
2 in place thereof the following section:-

3 Section 9. The department shall provide for the decent final disposition of all deceased persons who are at the time
4 of death recipients of aid or assistance under this chapter, all deceased persons who, although without means of
5 support at the time of death, did not apply for such aid or assistance; and all unknown persons found dead. The
6 expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner
7 provided in this chapter; and if the expense of their funeral and final disposition is not paid by such kindred, an
8 amount not exceeding \$1,100 shall be paid by the commonwealth to the funeral establishment; provided further, that
9 the commonwealth shall have the right of reimbursement from whatever resources may exist in the estate of said
10 person.
11

12 SECTION 2. Said chapter 117A is hereby further amended by striking out section 10 and inserting in place thereof
13 the following section:-

14 Section 10. In case of the decease of a poor and indigent person the commonwealth shall pay toward the expense
15 of the funeral and final disposition of such person a sum not exceeding eleven hundred dollars to the funeral
16 establishment; provided, however, that the commonwealth shall have the right of reimbursement from whatever
17 resources may exist in the estate of said person.
18

19 SECTION 3. Section 2 of chapter 118 of the General Laws, as appearing in the 2004 Official Edition, is hereby
20 amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

21 “The department may pay a sum not exceeding \$1,100 toward the funeral and final disposition of a recipient to the
22 funeral establishment provided that there are insufficient resources to pay for the cost of such funeral and final
23 disposition. The commonwealth shall have the right of reimbursement from whatever resources may exist in the
24 estate of the recipient.”
25

26 SECTION 4. Chapter 118A of the General Laws is hereby amended by striking out section 7 and inserting in place
27 thereof the following section:-

28 Section 7. The department shall provide to aged and disabled residents of the commonwealth under this chapter a
29 program of social services as enumerated under section 2 of chapter 18. In addition to the other benefits authorized
30 by this chapter, the department may provide to such recipients grants of assistance in cases of fire, flood, or other
31 disaster. The department may pay a sum not exceeding \$1,100 toward the funeral and final disposition of a recipient
32 to a funeral establishment provided that there are insufficient resources to pay for the cost of such funeral and
33 interment. The commonwealth shall have the right of reimbursement from whatever resources may exist in the estate
34 of the recipient.

35
36 SECTION 5. Section 23 of chapter 119 of the General Laws, as appearing in the 2004 Official Edition is hereby
37 amended by striking out the fifteenth paragraph and inserting in place thereof the following paragraph:-

38 “H. The department may pay a sum not exceeding \$1,100 the funeral and final disposition of a child in its care to a
39 funeral establishment provided that there are insufficient resources to pay for the cost of such funeral and final
40 disposition. The commonwealth shall have the right of reimbursement from whatever resources may exist in the
41 estate of the child.”

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