

40A:9-49.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:9-49.1 (Burial costs of indigent persons-- exempt municipalities from payment)

CHAPTER 67

Laws Of: 1987

Bill No: S1555

Sponsor(s): Lynch

Date Introduced: January 30, 1986

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted asterisks

Date of Passage: Assembly: December 18, 1986

Senate: September 29, 1986

Date of Approval: March 11, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 1555

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1986

By Senator LYNCH

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning burial expenses for indigents and supplementing chapter 9 of Title 40A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Notwithstanding any provision of law, rule or regulation to
2 the contrary, when an indigent person dies without a surviving
3 spouse, parent or emancipated child **and** in a municipality other
4 than his resident municipality, the resident county of the indigent
5 decedent is responsible for the necessary and reasonable expenses
6 for the burial. For the purposes of this act, "indigent decedent"
7 means a person who dies without leaving an ascertainable estate
8 sufficient to pay part or all of the person's burial expenses.

1 2. This act shall take effect immediately.

MUNICIPAL GOVERNMENT

Burial Expenses—Relieves mun.

Relieves municipalities from the requirement of paying for burial costs of certain indigent persons.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendment adopted June 9, 1986.**

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STATEMENT

The purpose of this bill is to relieve municipalities of the financial burden of paying burial expenses for indigents who die in that municipality but who are not residents of that municipality. A person who is a resident of one municipality is often hospitalized and treated in another and under the current law, the municipality where the hospital is located bears the costs of the burial if that indigent person dies. This bill provides that the resident county of the indigent is responsible for the funeral expenses for indigent persons who die in municipalities in which they do not reside.

MUNICIPAL GOVERNMENT

Burial Expenses—Relieves mun.

Relieves municipalities from the requirement of paying for burial costs of certain indigent persons.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

Statement to

SENATE BILL NO. 1555(OCR) Aca

DATED: December 11, 1986

The Assembly municipal Government Committee favorably reports S-1555(OCR) with Assembly Amendments.

This bill provides for the payment of an indigent person's burial costs by his county of residence provided that:

- a. he dies without a surviving spouse, parent or emancipated child;
- b. he dies in a municipality other than his resident municipality;
- c. the burial expenses are not otherwise payable by the State; and
- d. the burial expenses are not otherwise payable by the county having possession of the body.

The bill, as introduced, defined "indigent decedent" as a person who dies without leaving an ascertainable estate sufficient to pay part or all of the person's burial expenses. The committee amended the bill to provide that to qualify as an "indigent decedent" the decedent must be one whose burial expenses are not payable by the State pursuant to P.L. 1959, c. 86 (C. 544:10-1 et seq.) concerning aid to families with dependent children, P.L. 1947, c. 156 (C. 44:8-107 et seq.) concerning general public assistance, P.L. 1973, c. 256 (C. 44:7-85 et seq.) concerning supplemental security income, or payable by the county having possession of an unidentified body pursuant to N.J.S. 40A:9-49.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1555

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 1986

The Senate County and Municipal Government Committee reports favorably and with committee amendments Senate Bill No. 1555.

Senate Bill No. 1555 Sca provides that when an indigent persons dies without a surviving spouse, parent or emancipated child and in a municipality other than the person's resident municipality, the resident county of the indigent decedent is responsible for the necessary and reasonable burial expenses.

It is the committee's understanding that currently the burial expenses of indigent decedents who were on welfare are provided for by the local welfare departments. The expenses of other indigent decedents are the responsibility of the municipality in which the death occurred. In addition, pursuant to N. J. S. 40A :9-49, the county medical examiner shall make burial arrangements for unidentified or unclaimed dead bodies. If the person whose body is unclaimed left no ascertainable estate to pay the burial costs, the cost shall be paid by a surviving spouse or parent or, if there is no surviving spouse or parent, by the county.

According to the sponsor, the purpose of this bill is to relieve municipalities of the burial expenses of indigent decedents who were not residents of the municipality in which they died. For instance, a person who is a resident of one municipality may die in a hospital located in another municipality. Currently, the municipality in which the person died would bear the expenses.