

By Mr. Rushing of Boston, petition of Byron Rushing and other members of the House relative to increasing the amount of money allowed for certain burial expenses. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT INCREASING THE AMOUNT OF MONEY ALLOWED FOR CERTAIN BURIAL EXPENSES.

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. Section 130 of chapter 6 of the General Laws, as
2 appearing in the 1990 Official Edition, is hereby amended in
3 line 22 thereof by striking the words "eleven hundred dollars", and
4 inserting in place thereof the words:— fifteen hundred dollars; and
5 by striking in lines 23 and 24 thereof the words "fifteen hundred
6 dollars" and inserting in place thereof the words:— nineteen hun-
7 dred dollars; provided, further, that the cost of such funeral and
8 burial shall include payment for a suitable grave marker bearing
9 the decedent's name and dates of birth and death, if known;

1 SECTION 2. Section 8 of chapter 115 of the General Laws, as
2 appearing in the 1990 Official Edition, is hereby amended in line 2
3 thereof by striking the words "eleven hundred dollars" and
4 inserting in place thereof the words:— fifteen hundred dollars; and
5 by striking in line 4 thereof the words "fifteen hundred dollars
6 and" and inserting in place thereof the words:— nineteen hundred
7 dollars; provided, however, that the cost of such funeral and burial,
8 shall include payment for a suitable grave marker, bearing the
9 decedent's name and dates of birth and death, if known; and pro-
10 vided, further, that.

1 SECTION 3. Section 9 of Chapter 117A of the General Laws,
2 as appearing in Section 4 of Chapter 255 of the Acts of 1991, is
3 hereby amended by striking out the third sentence and inserting in
4 place thereof the following sentence: — The expense thereof may
5 be recovered of their kindred, if any, chargeable by law for their
6 support in the manner provided in this chapter; and if the expense
7 of the funeral and burial is not paid by such kindred, an amount
8 not exceeding fifteen hundred dollars; provided, however, that the
9 total expense of the funeral and burial does not exceed nineteen
10 hundred dollars; provided, further, that the cost of such burial
11 shall include payment for the aforementioned grave marker; and
12 provided, further, that any payment made by the department shall
13 be reduced by whatever resources may exist in the estate of said
14 person.

1 SECTION 4. Chapter 117A of the General Laws, as appearing
2 in Section 4 of Chapter 255 of the Acts of 1991, is hereby
3 amended by striking out section 10, as so appearing, and inserting
4 in place thereof the following section: —

5 Section 10. In case of the decease of a poor and indigent
6 person, the commonwealth shall pay for the expense of the funeral
7 and burial of such person a sum not exceeding fifteen hundred
8 dollars; provided, however, that the total expense of the funeral
9 does not exceed nineteen hundred dollars; provided, further, that
10 the cost of such funeral and burial shall include payment for a
11 suitable grave marker, bearing the decedent's name and dates of
12 birth and death, if known; and provided, further, that any payment
13 made by the commonwealth shall be reduced by whatever
14 resources may exist in the estate of said person. The funeral
15 director engaged in conducting the funeral and burial of said
16 deceased person shall perform the services and furnish the mate-
17 rials in connection therewith as follows: — removal of the body;
18 procuring of death certificate and burial permit; embalming and
19 dressing of body; furnishing suitable burial garment; furnishing
20 suitable casket, bearing metal plate with name of deceased
21 engraved thereon; furnishing outer case of pine wood; furnishing
22 hearse for transporting body of deceased to cemetery; furnishing
23 conveyance for transporting to such cemetery the immediate
24 family of the deceased; procuring of a clergyman, of the religion

25 that the deceased professed, to officiate at the funeral; procuring a
26 burial place for the body of the deceased; opening the grave,
27 obtaining the use of interment devices and notwithstanding any
28 general or special law to the contrary, procurement and placement
29 of the aforementioned grave marker.

1 SECTION 5. Section 2 of chapter 118 of the General Laws, as
2 appearing in the 1990 Official Edition, is hereby amended in
3 lines 33 and 34 thereof by striking the words “eleven hundred
4 dollars” and inserting in place thereof the words: — fifteen hun-
5 dred dollars; and by striking in line 35 thereof the words “fifteen
6 hundred dollars and” and inserting in place thereof the words: —
7 nineteen hundred dollars; provided, further, that the cost of such
8 funeral and burial shall include payment for a suitable grave
9 marker, bearing the decedent’s name and dates of birth and death,
10 if known; and provided, further, that.

1 SECTION 6. Section 7 of chapter 118A of the General Laws,
2 as appearing in the 1990 Official Edition, is hereby amended in
3 line 7 thereof by striking the words “eleven hundred dollars” and
4 inserting in place thereof the words:— fifteen hundred dollars;
5 and by striking in line 9 thereof the words “fifteen hundred dol-
6 lars and” and inserting in place thereof the words:— nineteen
7 hundred dollars; provided, further, that the cost of such funeral
8 and burial shall include payment for the aforementioned grave
9 marker; and provided, further, that.

1 SECTION 7. Subsection H of Section 23 of chapter 119 of the
2 General Laws, as appearing in the 1990 Official Edition, is
3 hereby amended in lines 80 and 81 thereof by striking the words
4 “eleven hundred dollars” and inserting in place thereof the
5 words: — fifteen hundred dollars; and by striking in lines 82
6 and 83 thereof the words “fifteen hundred dollars and” and
7 inserting in place thereof the words:— nineteen hundred dollars;
8 provided, further, that the cost of such funeral and burial shall
9 include payment for a suitable grave marker, bearing the dece-
10 dent’s name and dates of birth and death, if known; and provided,
11 further, that.

1 SECTION 8. Section 10 of chapter 118E, as most recently
2 amended by Section 181 of chapter 138 of the Acts of 1991, is
3 hereby further amended by striking subsection 5 and inserting in
4 place thereof the following: — funds, up to a maximum of
5 twenty-five hundred dollars deposited in a trust account and so
6 reserved for the payment of funeral and burial expenses of the
7 applicant or recipient of assistance including, but not limited to,
8 the purchase of a plot, the opening of the grave, the fee for reli-
9 gious services, and the monument inscription; the cash surrender
10 value of burial insurance, so called; or prepaid irrevocable burial
11 contracts, so-called.