

HOUSE No. 4412

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 24, 1997.

The committee on Human Services and Elderly Affairs, to whom were referred the petition (accompanied by bill, House, No. 1509) of Angelo M. Scaccia relative to funeral and burial expenses provided by the Commission for the Blind, the petition (accompanied by bill, House, No. 2313) of Daniel E. Bosley for legislation to increase the amount of money payable for burial expenses by the Department of Transitional Assistance, and the petition (accompanied by bill, House, No. 4020) of Byron Rushing and other members of the General Court relative to increasing the amount of money allowed for certain burial expenses, reports recommending that the accompanying bill (House, No. 4412) ought to pass.

For the committee,

MICHAEL P. CAHILL.

The Commonwealth of Massachusetts

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

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 1992 Official Edition, is hereby amended in line
3 22 thereof by striking the words “eleven hundred dollars”, and
4 inserting in place thereof the words:— “fifteen hundred dollars”;
5 and by striking in lines 23 and 24 thereof the words “fifteen hun-
6 dred dollars” 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 a suitable grave marker
9 bearing the decedent’s name and dates of birth and death, if
10 known;.

1 SECTION 2. Section 9 of Chapter 117A of the General Laws,
2 as appearing in the 1992 Official Edition, is hereby amended by
3 striking out the third sentence and inserting in place thereof the
4 following sentence:— The expense thereof may be recovered of
5 their kindred, if any, chargeable by law for their support in the
6 manner provided in this chapter; and if the expense of the funeral
7 and burial is not paid by such kindred, an amount not exceeding
8 fifteen hundred dollars; provided, however, that the total expense
9 of the funeral and burial does not exceed nineteen hundred dol-
10 lars; provided, further, that the cost of such burial shall include
11 payment for the aforementioned grave marker; and provided, fur-
12 ther, that any payment made by the department shall be reduced
13 by whatever resources may exist in the estate of said person.

1 SECTION 3. Chapter 117A of the General Laws, as appearing
2 in the 1992 Official Edition, is hereby amended by striking out

3 section 10, as so appearing, and inserting in place thereof the
4 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,
10 that 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
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 to be furnished by a monu-
30 ment retailer.

1 SECTION 4. Section 2 of chapter 118 of the General Laws, as
2 appearing in the 1992 Official Edition, is hereby amended in lines
3 35 and 36 thereof by striking the words “eleven hundred dollars”
4 and by striking in line 35 thereof the words “fifteen hundred dol-
5 lars” and inserting in place thereof the words “fifteen hundred
6 dollars” 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 a suitable grave marker,
9 bearing the decedent’s name and dates of birth and death, if
10 known; and provided, further, that.

1 SECTION 5. Section 7 of chapter 118A of the General Laws, as
2 appearing in the 1992 Official Edition, is hereby amended in
3 line 7 thereof striking the words “eleven hundred dollars” at
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 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 the aforementioned grave marker;
9 and provided, further, that.

1 SECTION 6. Subsection H of section 23 of chapter 119 of the
2 General Laws, as appearing in the 1992 Official Edition, is hereby
3 amended in lines 84 and 85 thereof by striking the words “eleven
4 hundred dollars”; and inserting in place thereof the words:— “fif-
5 teen hundred dollars”; and by striking in lines 82 and 83 thereof
6 the words “fifteen hundred dollars” and inserting in place thereof
7 the words:— “nineteen hundred dollars”; provided, further, that
8 the cost of such funeral and burial shall include payment for a
9 suitable grave marker, bearing the decedent’s name and dates of
10 birth and death, if known; and provided, further, that.

1 SECTION 7. Section 10 of chapter 118E, as appearing in the
2 1992 Official Edition, is hereby further amended by striking sub-
3 section 5 and inserting in place thereof the following:— funds, up
4 to a maximum of twenty-five hundred dollars deposited in a trust
5 account and so reserved for the payment of funeral and burial not
6 limited to, the purchase of a plot, the opening of the grave, the fee
7 for religious services, and the monument inscription; the cash sur-
8 render value of burial insurance, so called; or prepaid irrevocable
9 burial contracts, so-called.