

SESSION OF 2003

**SUPPLEMENTAL NOTE ON
SENATE SUBSTITUTE FOR SENATE BILL NO. 244**

As Amended by Senate Committee on
Ways and Means

Brief*

Sub. for SB 244 clarifies language in KSA 2002 Supp. 22a-215 regarding indigent decedents. The bill makes the county of death of the deceased person responsible for disposition of the body, to be paid from the county general fund and reimbursed from the decedent's assets for the cost of disposition, unless the decedent was eligible for assistance under KSA 39-701 *et seq.* If the decedent was eligible for assistance, the expenses shall be paid under KSA 39-713d. The Department of Social and Rehabilitation Services is responsible for providing information concerning the next of kin and assets of the deceased, if available.

In addition, the bill makes it a class B nonperson misdemeanor for any coroner, against the wishes of the immediate family or next of kin willing to accept financial responsibility for the disposition of the deceased, to deliver the decedent for disposition to a particular embalmer, funeral director, or funeral establishment. Upon conviction, the coroner shall forfeit the coroner's office.

Background

The Kansas Funeral Directors and Embalmers Association spoke in support of the bill. The Kansas Association of Counties, Shawnee County Board of Commissioners, and representatives of Sedgwick County spoke in opposition to the bill.

The Department of Social and Rehabilitation Services noted that references to KSA 39-701(d) in the bill address the Funeral Assistance Program, which is not funded for FY 2004 in the Governor's budget.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

There would be no fiscal effect on the state; however, counties would assume burial costs of approximately \$500,000.