

SENATE BILL No. 320

By Committee on Ways and Means

3-16

9 AN ACT concerning the department of social and rehabilitation services;
10 regarding the funeral assistance program; amending K.S.A. 22a-215
11 and 39-713d and repealing the existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 22a-215 is hereby amended to read as follows: 22a-
15 215. (a) The coroner shall cause the body of a deceased person to be
16 delivered to the immediate family or the next of kin of the deceased in
17 accordance with the provisions of K.S.A. 65-904, and amendments
18 thereto. If there is no immediate family or next of kin the coroner shall
19 report and make delivery in accordance with the provisions of article 9
20 of chapter 65 of Kansas Statutes Annotated. If no such delivery is re-
21 quired, the coroner shall cause the body of such deceased person to be
22 cremated or buried. The state or county officer responsible for the final
23 disposition of the deceased person may authorize and order the cremation
24 or burial of such deceased person. Cremation or burial expenses shall be
25 paid from any property found with the body. If there is no property found
26 with the body or if the property is not sufficient to cover such expenses
27 ~~and if the deceased was eligible for assistance under the provisions of~~
28 ~~article 7 of chapter 39 of Kansas Statutes Annotated expenses of final~~
29 ~~disposition shall be paid in accordance with the provisions of K.S.A. 39-~~
30 ~~713d, and amendments thereto. Otherwise, such expenses shall be paid~~
31 ~~from the county general fund unless the deceased died in the custody of~~
32 ~~the secretary of corrections, except as provided further, the cremation or~~
33 ~~burial expenses shall be paid as provided in K.S.A. 39-713d and amend-~~
34 ~~ments thereto.~~ Expenses of final disposition of the unclaimed bodies of
35 deceased inmates in the custody of the secretary of corrections shall be
36 paid by the department of corrections.

37 (b) Any coroner who, over the protest of the immediate family or
38 next of kin of the deceased, delivers or causes to be delivered the body
39 of a deceased person for final disposition to a particular embalmer, funeral
40 director or funeral establishment, shall be deemed guilty of a class B
41 nonperson misdemeanor and upon conviction thereof shall forfeit the
42 coroner's office.

43 Sec. 2. K.S.A. 39-713d is hereby amended to read as follows: 39-

- 1 713d. (a) ~~The secretary, on the death of a recipient of assistance~~ *If a death*
2 *occurs and such deceased person is unclaimed, the secretary shall pay*
3 *funeral and cemetery expenses which shall not exceed \$545, if the estate*
4 *of the deceased or other available resources are insufficient to pay the*
5 *decedent's funeral and burial expenses; may pay funeral and cemetery*
6 *expenses in amounts which shall not be more than the maximum amounts*
7 *fixed for such purposes by rules and regulations adopted by the secretary.*
- 8 (b) Whenever a cemetery lot has been purchased or acquired for a
9 recipient of assistance, either before or after death, and such cemetery
10 lot was not purchased or acquired with public funds, the cost of such
11 cemetery lot shall not be deducted from the funeral expenses authorized
12 by this section.
- 13 Sec. 3. K.S.A. 22a-215 and 39-713d are hereby repealed.
- 14 Sec. 4. This act shall take effect and be in force from and after its
15 publication in the statute book.