



February 21, 2025

The Honorable Tom Kessler, Chairperson
House Committee on Federal and State Affairs
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Representative Kessler:

SUBJECT: Fiscal Note for HB 2331 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2331 is respectfully submitted to your committee.

HB 2331 would allow a county coroner in possession of cremated remains of a deceased person to relinquish custody of the remains under the following conditions:

1. No person has claimed the remains within three years;
2. The coroner publishes a notice in a newspaper of general circulation in the county where the death occurred stating the disposition would occur unless the remains are claimed by an immediate family member or next of kin within 30 days of publication;
3. No claim is made within the 30-day publication;

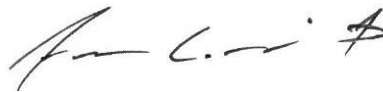
If a person who is authorized to take custody of the remains, then the individual would be required to reimburse the coroner the costs of cremation and any other applicable fees. If no family or next of kin would claim the remains, the coroner would be able to dispose of the remains by place the deceased in a church or cemetery plot, a scatter garden, tomb, mausoleum, crypt, columbarium, or other permanent non-accessible chamber. If the deceased was a veteran, the coroner would have to relinquish the remains to the Kansas Commission of Veteran's Affairs Office or a national cemetery. The bill would specifically state that a coroner would be required to determine or seek the determination if the deceased individual was a veteran.

The bill would provide that a coroner would not be liable for any costs or damages arising from the disposition of cremated remains, as outlined in the bill. If property found with the body

of a decedent has insubstantial commercial value, the coroner may destroy or dispose of the property.

The Board of Mortuary Arts and the Kansas Association of Counties indicate that the enactment of the bill would have no fiscal effect. The Kansas Office of Veterans Services indicates that in the last three years, the agency was contacted by one county coroner regarding an unclaimed veteran. The agency claimed the remains with the burial a cemetery of the agency; however, the coroner's office did not pass any costs to the agency in this last instance. If a county coroner would pass costs on to the agency for veterans because of the enactment of HB 2331, the agency estimates costs per instance from \$800 to \$3,000, depending on the level of medical exam necessary to determine the cause of death. Any fiscal effect associated with HB 2331 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: J.W. Carey, Board of Mortuary Arts
Jay Hall, Kansas Association of Counties