

ASSEMBLY, No. 695

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ZISA and Assemblywoman WEINBERG

1 AN ACT concerning the burial of indigent, unidentified or unclaimed
2 deceased persons, amending various sections of statutory law and
3 repealing R.S.44:1-157.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. Section 1 of P.L.1987, c.67 (C.40A:9-49.1) is amended to read
9 as follows:

10 1. Notwithstanding any provision of law, rule or regulation to the
11 contrary, when an indigent person dies without a surviving spouse,
12 parent or emancipated child and in a [municipality] county other than
13 his resident [municipality] county, the resident county of the indigent
14 decedent is responsible for the necessary and reasonable expenses for
15 the burial. For the purposes of this act, "indigent decedent" means a
16 person who dies without leaving an ascertainable estate sufficient to
17 pay part or all of the person's burial expenses and whose burial
18 expenses are not payable by the State pursuant to P.L.1959, c.86
19 (C.44:10-1 et seq.), P.L.1947, c.156 (C.44:8-107 et seq.) or P.L.1973,
20 c.256 (C.44:7-85 et seq.), or by the county pursuant to
21 N.J.S.40A:9-49.

22 (cf: P.L.1987, c.67, s.1)

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24 2. N.J.S.40A:9-53 is amended to read as follows:

25 40A:9-53. In counties having morgue keepers, unidentified or
26 unclaimed dead bodies shall be delivered to the morgue keeper, and if
27 there be more than one, to the morgue keeper in the area where the
28 body is at the time for such delivery. The morgue keeper shall receive
29 and place the body in the morgue.

30 (cf: N.J.S.40A:9-53)

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32 3. N.J.S.40A:9-54 is amended to read as follows:

33 40A:9-54. Unidentified or unclaimed dead bodies shall be viewed
34 by the county medical examiner or a regularly licensed and practicing

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 physician deputized for that purpose by the county medical examiner.
2 Thereafter the body shall be buried by the morgue keeper at the
3 expense of the county.

4 (cf: N.J.S.40A:9-53)

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6 4. N.J.S.40A:9-56 is amended to read as follows:

7 40A:9-56. In any county where there is no morgue keeper, the
8 procedure as to the disposition of unidentified or unclaimed dead
9 bodies shall be as nearly similar as in counties having a morgue keeper
10 and the duties which would have been performed by the morgue
11 keeper, if there were one, shall be performed by the county medical
12 examiner.

13 (cf: N.J.S.40A:9-56)

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15 5. R.S.44:1-157 is repealed.

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17 6. This act shall take effect immediately.

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22 Clarifies responsibility of county to pay burial costs of indigent,
23 unidentified or unclaimed deceased persons.