

## SENATE BILL No. 244

By Committee on Ways and Means

2-25

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AN ACT concerning district coroners; amending K.S.A. 2002 Supp. 22a-215 and repealing the existing section.

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

Section 1. K.S.A. 2002 Supp. 22a-215 is hereby amended to read as follows: 22a-215. (a) *When an indigent dies in the indigent's resident county or in a county other than the indigent's resident county, the coroner of the county of residence shall cause the body of a deceased person the indigent decedent to be delivered to the immediate family or the next of kin of the deceased in accordance with the provisions of K.S.A. 65-904, and amendments thereto. If there is no immediate family or next of kin who will accept responsibility, the coroner shall report and make delivery in accordance with the provisions of article 9 of chapter 65 of Kansas Statutes Annotated. If no such delivery is required, the coroner shall cause the body of such deceased person to be cremated or buried resident county of the indigent decedent is responsible for the necessary and reasonable expenses for burial or cremation unless the deceased was eligible for assistance under the provisions of article 7 of chapter 39 of Kansas Statutes Annotated, then the expenses of final disposition shall be paid by the state in accordance with the provisions of K.S.A. 39-713d, and amendments thereto.* The state or county officer responsible for the final disposition of the deceased person may authorize and order the cremation or burial of such deceased person. ~~Cremation or burial expenses shall be paid from any property found with the body. If there is no property found with the body or if the property is not sufficient to cover such expenses and if the deceased was eligible for assistance under the provisions of article 7 of chapter 39 of Kansas Statutes Annotated expenses of final disposition shall be paid in accordance with the provisions of K.S.A. 39-713d, and amendments thereto. Otherwise, such expenses shall be paid from the county general fund unless the deceased died in the custody of the secretary of corrections.~~ Expenses of final disposition of the unclaimed bodies of deceased inmates in the custody of the secretary of corrections shall be paid by the department of corrections.

(b) *Unidentified or unclaimed dead bodies shall be delivered to the*

1 county coroner to be buried at the expense of the county. "Unclaimed  
2 dead bodies" includes dead bodies for which no immediate family or next  
3 of kin will accept financial responsibility for or direct disposition of the  
4 dead body.

5 ~~(b)~~ (c) Any coroner who, over the protest of the immediate family or  
6 next of kin of the deceased, delivers or causes to be delivered the body  
7 of a deceased person for final disposition to a particular embalmer, funeral  
8 director or funeral establishment, shall be deemed guilty of a class B  
9 nonperson misdemeanor and upon conviction thereof shall forfeit the  
10 coroner's office.

11 (d) "Indigent decedent" means a person who dies without leaving an  
12 ascertainable estate sufficient to pay part or all of the person's burial  
13 expenses and whose funeral and cemetery expenses are not payable by the  
14 state under the provisions of article 7 of chapter 39 of Kansas Statutes  
15 Annotated.

16 Sec. 2. K.S.A. 2002 Supp. 22a-215 is hereby repealed.

17 Sec. 3. This act shall take effect and be in force from and after its  
18 publication in the statute book.

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