

**HOUSE . . . . . No. 4098**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Twelve**  
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An Act relative to realistic allowable costs for funerals of indigents.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 117A of the General Laws, is hereby amended by striking out  
2 section 10, as so appearing, and inserting in place thereof the following section:—

3           Section 10. In case of the decease of a poor and indigent person, the commonwealth shall  
4 pay for the expense of the funeral and burial in a cemetery of such person a sum not exceeding  
5 two thousand dollars; provided, however, that the total expense of the funeral does not exceed  
6 three thousand dollars; provided, further, that the cost of such funeral and burial in a cemetery  
7 shall reasonably compensate both the funeral home and the cemetery providing the services for  
8 incurred expenses; and shall include payment for a suitable grave memorial where authorized,  
9 bearing the name and dates of birth and death of the descendant, if known; and provided, further,  
10 that any payment made by the commonwealth shall be reduced by whatever resources may exist  
11 in the estate of said person. The funeral director shall provide the following services and  
12 materials including removal of the body; procuring of death certificate and burial permit;  
13 embalming and dressing of body; furnishing suitable burial garment; furnishing suitable casket  
14 bearing a metal plate with name of deceased engraved thereon; furnishing outer burial container;

15 furnishing hearse for transporting body of deceased to cemetery; furnishing conveyance for  
16 transporting immediate family of the deceased to such cemetery; and the procuring of a  
17 clergyman of the religion that the deceased professed to officiate the funeral. Notwithstanding  
18 any general or special law to the contrary, the cemetery providing internment services shall  
19 provide procuring a burial place for the body of the deceased; opening the grave and internment  
20 services inclusive of the use of internment devices; record in perpetuity of all burial records of  
21 the deceased, location of the deceased, and any other pertinent burial information within  
22 cemetery records; and properly maintaining the burial place of deceased in perpetuity.