

5/13/16

8:47 A.M.

Chapter No. 491

16/SS26/R515SG

LR WR

## ***SENATE BILL NO. 2183***

Originated in Senate

LR Welch

Secretary

SENATE BILL NO. 2183

AN ACT TO AMEND SECTION 41-39-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS, OR THE CORONER, SHALL DIRECT THE BURIAL OR CREMATION OF UNCLAIMED DEAD BODIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 41-39-5, Mississippi Code of 1972, is amended as follows:

41-39-5. Any physician, hospital, funeral director, embalmer, coroner or other person acquiring possession of a dead human body or portion thereof which is not claimed for burial or cremation within forty-eight (48) hours of its acquisition shall give written notice thereof to the board of supervisors, or a member thereof, of the county in which the dead body or portion thereof is located, furnishing such identification of the decedent as may be available. The board of supervisors or the coroner shall make reasonable efforts to notify members of the decedent's family or other known interested persons, and, if the dead body or portion thereof shall not be claimed for burial or cremation by

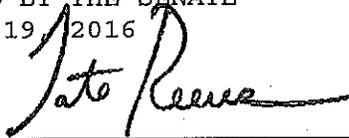
any interested person within five (5) days of the aforementioned written notice, the *board of supervisors* or coroner shall, as soon as it may think appropriate, authorize and direct the burial or cremation and burial of the residue of such dead body or portion thereof. In its discretion and where otherwise permitted to do so by law, the board of supervisors may direct the disposition of the dead body or portion thereof as provided by Section 41-39-7. The reasonable expense of such burial or cremation and burial of the residue of a dead body shall be borne by the estate of the decedent or of any person liable at law for the necessities of the decedent during his lifetime or, if they are unable to pay the same, by the county of residence or settlement of the decedent, if known, and, if not known, by the county in which the dead body or portion thereof is located.

If the person having possession of such dead human body or portion thereof shall have no available means of preserving the same and shall so notify the board of supervisors, or a member thereof, of the county in which the dead body or portion thereof is located, it shall be the duty of the board of supervisors to make arrangements for the preservation of the same until burial or cremation and burial of the residue of the dead body as hereinabove provided, and the expense of such preservation shall be borne as hereinabove provided with respect to the expense of burial or cremation.

No county funds may be expended in excess of the amount budgeted for the purposes of this section without the prior approval of the board of supervisors of the county.

SECTION 2. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE SENATE  
April 19, 2016



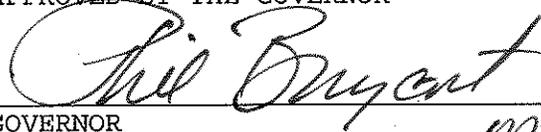
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 17, 2016



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

May 13, 2016  
8:47am