

CHAPTER 121

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

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

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

C.40A:9-49.1 Burial expenses of indigents.

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

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

Delivery of unidentified, unclaimed dead bodies for placing in the morgue.

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

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

Unidentified, unclaimed dead bodies in morgues; disposition.

40A:9-54. Unidentified or unclaimed dead bodies shall be viewed by the county medical examiner or a regularly licensed and practicing physician deputized for that purpose by the county medical examiner. Thereafter the body shall be buried by the morgue keeper at the expense of the county.

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

Unidentified, unclaimed dead bodies; disposition where no morgue keepers.

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

Repealer.

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 R.S.44:1-157 is repealed.

6. This act shall take effect immediately.

Approved December 12, 2002.