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State of Minnesota  
**HOUSE OF REPRESENTATIVES**  
NINETIETH SESSION

**H. F. No. 2627**

05/01/2017 Authored by Schomacker  
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act  
1.2 relating to health; modifying requirements for county payment of cremation, burial,  
1.3 and funeral expenses; amending Minnesota Statutes 2016, section 261.035.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 261.035, is amended to read:

1.6 **261.035 CREMATION, BURIAL, AND FUNERALS AT EXPENSE OF COUNTY.**

1.7 When a person dies in any county without apparent means to provide for that person's  
1.8 funeral or final disposition, the county board shall first investigate to determine whether  
1.9 that person had contracted for any prepaid funeral arrangements. If prepaid arrangements  
1.10 have been made, the county shall authorize arrangements to be implemented in accord with  
1.11 the instructions of the deceased. If it is determined that the person did not leave sufficient  
1.12 means to defray the necessary expenses of a funeral and final disposition, nor any spouse  
1.13 of sufficient ability to procure the burial, the county board shall pay reasonable expenses  
1.14 for cremation of the person's remains and the person's burial or interment if the spouse or  
1.15 next of kin does not want to take possession of the ashes. If it is determined that cremation  
1.16 is not in accordance with the decedent's personal preferences or the known practices of the  
1.17 decedent's faith tradition or the personal preferences of the decedent's spouse or the decedent's  
1.18 next of kin, the county board shall provide reasonable expenses for a burial and funeral.  
1.19 Any burial, funeral, and final disposition provided at the expense of the county shall be in  
1.20 accordance with personal preferences or known practices of the decedent's faith tradition  
1.21 or the personal preferences of the decedent's spouse or the decedent's next of kin. If neither  
1.22 the wishes of the decedent nor the practices of the decedent's faith tradition are known, and

- 2.1 the county has no information about the existence of or location of any next of kin, the
- 2.2 county may provide for cremation of the person's remains and burial or interment.