

HOUSE No. 4822

Section 38 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment D of House, No. 4833). July 27, 2018.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the cremation of certain unclaimed bodies.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the cremation of certain unclaimed bodies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Section 43M of chapter 114 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by adding the following paragraph:-

3 A board of health may authorize the cremation of unclaimed remains by signing a
4 cremation form for unclaimed remains under the following circumstances: (i) the unclaimed
5 remains shall be in a location that is within the jurisdiction of the board of health; and (ii) the
6 board of health has received notice that either no person has come forward to claim the remains
7 or that no person may legally claim the remains; provided, however, that the board of health shall
8 wait 30 days after such notification under this clause prior to signing the cremation form. There

9 shall be no liability for a board of health or an employee or agent thereof that authorizes the
10 disposal of unclaimed remains in accordance with this section.

11 SECTION 2. This act shall take effect as of July 1, 2018.