



General Assembly

Substitute Bill No. 5498

February Session, 2012

* _____HB05498PH_____032612_____*

AN ACT CONCERNING CHANGES TO THE FUNERAL SERVICES STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 7-62b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2012*):

4 (a) A death certificate for each death which occurs in this state shall
5 be completed in its entirety and filed with the registrar of vital
6 statistics in the town in which the death occurred [no] not later than
7 five business days after death if filing a paper certificate and [no] not
8 later than three calendar days after death if filing through an electronic
9 death registry system, in order to obtain a burial permit prior to final
10 disposition. The death certificate shall be registered if properly filed. If
11 the place of death is unknown but the body is found in this state, the
12 death certificate shall be completed and filed in accordance with this
13 section, provided the place where the body is found shall be shown as
14 the place of death.

15 Sec. 2. Section 20-230c of the general statutes is repealed and the
16 following is substituted in lieu thereof (*Effective October 1, 2012*):

17 If the person who has custody and control of the remains of a
18 deceased person pursuant to section 45a-318 requests the disposal of

19 the deceased person's body by cremation or if the deceased person had
20 executed a cremation authorization document in accordance with the
21 provisions of section 45a-318, the funeral director shall complete a
22 written form containing the following information: (1) The name and
23 address of the funeral service business that is responsible for the
24 disposal of the deceased person's body; (2) the name of the deceased
25 person; (3) the place and time of the cremation; (4) the name of the
26 licensed funeral director or embalmer; (5) the name and address of the
27 person who has custody and control of the remains of the deceased
28 person; (6) a summary of the disposition, in accordance with section
29 20-230d, of the cremated remains, if unclaimed; and (7) a statement
30 indicating the disposition of the cremated remains requested by the
31 person who has custody and control of the remains of the deceased
32 person or a statement indicating that the deceased person had
33 executed a cremation authorization document in accordance with the
34 provisions of section 45a-318. The written form shall be signed and
35 dated by the person who has custody and control of the remains of the
36 deceased person and by the funeral director. A copy of the signed form
37 shall be provided to the person who has custody and control of the
38 remains of the deceased person. The original signed form shall be
39 [retained] maintained at the funeral service business, as required by
40 section 20-222, for not less than [twenty] six years from the date on
41 which such form is signed by the person who has custody and control
42 of the remains of the deceased person.

43 Sec. 3. Subsection (a) of section 42-200 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective*
45 *October 1, 2012*):

46 (a) For the purposes of this section and sections 42-201 to 42-206c,
47 inclusive, "funeral service contract" means a contract which requires
48 the payment of money or the delivery of securities in exchange for the
49 final disposition of a dead human body, including funeral, burial or
50 other services, or the furnishing of personal property or funeral
51 merchandise in connection with any such disposition, wherein the use
52 or delivery of such services, property or merchandise is not required

53 immediately, "beneficiary" means the person for whom the goods or
54 services purchased in a funeral service contract are to be provided,
55 [and] "purchaser" means the person who signs the funeral service
56 contract, and "delivery of securities" includes, but is not limited to,
57 assignment of a death benefit payable under an individual or group
58 life insurance policy.

59 Sec. 4. Section 42-207 of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective October 1, 2012*):

61 An irrevocable funeral contract may be entered into in which the
62 amount held in escrow may be disbursed only upon the death of the
63 beneficiary, provided such a contract does not exceed five thousand
64 four hundred dollars and all interest accumulates to the escrow
65 account and is inaccessible to the beneficiary. Such irrevocable funeral
66 contracts may be transferred from one funeral service establishment to
67 another upon request of the beneficiary or a legal representative of the
68 beneficiary. The purchase of an irrevocable funeral contract shall not
69 preclude an individual from purchasing other funeral contracts that
70 are revocable, provided any such revocable funeral contract purchased
71 by a Medicaid beneficiary may be revoked only upon written notice by
72 the Medicaid beneficiary to the Commissioner of Social Services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	7-62b(a)
Sec. 2	<i>October 1, 2012</i>	20-230c
Sec. 3	<i>October 1, 2012</i>	42-200(a)
Sec. 4	<i>October 1, 2012</i>	42-207

Statement of Legislative Commissioners:

In the second sentence of section 4, "legal" was inserted before "representative", for clarity.

PH *Joint Favorable Subst.*