



# House of Representatives

General Assembly

**File No. 111**

February Session, 2022

House Bill No. 5274

*House of Representatives, March 23, 2022*

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE FEE FOR A CREMATION CERTIFICATE FOR DECEASED PERSONS UNDER THE AGE OF EIGHTEEN.***

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

1 Section 1. Section 19a-323 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) The body of any deceased person may be disposed of by  
4 incineration or cremation in this state or may be removed from the state  
5 for such purpose.

6 (b) If death occurred in this state, the death certificate required by law  
7 shall be filed with the registrar of vital statistics for the town in which  
8 such person died, if known, or, if not known, for the town in which the  
9 body was found. The Chief Medical Examiner, Deputy Chief Medical  
10 Examiner, associate medical examiner, an authorized assistant medical  
11 examiner or other authorized designee shall complete the cremation  
12 certificate, stating that such medical examiner or other authorized  
13 designee has made inquiry into the cause and manner of death and is of  
14 the opinion that no further examination or judicial inquiry is necessary.

15 The cremation certificate shall be submitted to the registrar of vital  
16 statistics of the town in which such person died, if known, or, if not  
17 known, of the town in which the body was found, or with the registrar  
18 of vital statistics of the town in which the funeral director having charge  
19 of the body is located. Upon receipt of the cremation certificate, the  
20 registrar shall authorize such certificate, keep such certificate on  
21 permanent record, and issue a cremation permit, except that if the  
22 cremation certificate is submitted to the registrar of the town where the  
23 funeral director is located, such certificate shall be forwarded to the  
24 registrar of the town where the person died to be kept on permanent  
25 record. If a cremation permit must be obtained during the hours that the  
26 office of the local registrar of the town where death occurred is closed,  
27 a subregistrar appointed to serve such town may authorize such  
28 cremation permit upon receipt and review of a properly completed  
29 cremation permit and cremation certificate. A subregistrar who is  
30 licensed as a funeral director or embalmer pursuant to chapter 385, or  
31 the employee or agent of such funeral director or embalmer shall not  
32 issue a cremation permit to himself or herself. A subregistrar shall  
33 forward the cremation certificate to the local registrar of the town where  
34 death occurred, not later than seven days after receiving such certificate.  
35 The estate of the deceased person, if any, shall pay the sum of one  
36 hundred fifty dollars for the issuance of the cremation certificate,  
37 provided the Office of the Chief Medical Examiner shall not assess any  
38 fees for costs that are associated with the cremation of a stillborn fetus  
39 or the body of a deceased person under the age of eighteen. Upon  
40 request of the Chief Medical Examiner, the Secretary of the Office of  
41 Policy and Management may waive payment of such cremation  
42 certificate fee. No cremation certificate shall be required for a permit to  
43 cremate the remains of bodies pursuant to section 19a-270a. When the  
44 cremation certificate is submitted to a town other than that where the  
45 person died, the registrar of vital statistics for such other town shall  
46 ascertain from the original removal, transit and burial permit that the  
47 certificates required by the state statutes have been received and  
48 recorded, that the body has been prepared in accordance with the Public  
49 Health Code and that the entry regarding the place of disposal is correct.

50 Whenever the registrar finds that the place of disposal is incorrect, the  
 51 registrar shall issue a corrected removal, transit and burial permit and,  
 52 after inscribing and recording the original permit in the manner  
 53 prescribed for sextons' reports under section 7-66, shall then  
 54 immediately give written notice to the registrar for the town where the  
 55 death occurred of the change in place of disposal stating the name and  
 56 place of the crematory and the date of cremation. Such written notice  
 57 shall be sufficient authorization to correct these items on the original  
 58 certificate of death. The fee for a cremation permit shall be five dollars  
 59 and for the written notice one dollar. The Department of Public Health  
 60 shall provide forms for cremation permits, which shall not be the same  
 61 as for regular burial permits and shall include space to record  
 62 information about the intended manner of disposition of the cremated  
 63 remains, and such blanks and books as may be required by the  
 64 registrars.

65 (c) If the body of a deceased person is brought into this state for  
 66 cremation and is accompanied by a permit for final disposition issued  
 67 by a legally constituted authority of the state from which the body was  
 68 brought, indicating cremation for the body, such permit shall be  
 69 sufficient authority to cremate the body and no additional cremation  
 70 certificate or permit shall be required.

71 (d) No body shall be cremated until at least forty-eight hours after  
 72 death, unless such death was the result of communicable disease, and  
 73 no body shall be received by any crematory unless accompanied by the  
 74 permit provided for in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	19a-323

**PH**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Resources of the General Fund	GF - Revenue Loss	Less than 30,000	Less than 30,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill, which exempts a decedent’s estate from having to pay the \$150 fee for a cremation certificate for the body of an individual under the age of eighteen, results in an estimated loss of General Fund revenue of less than \$30,000 annually. It is estimated there were approximately 174 cremation certificates issued by the Office of the Chief Medical Examiner's Office in calendar year 2021 for the bodies of individuals under the age of eighteen.

Existing law exempts a decedent’s estate from having to pay a fee for a cremation certificate of a stillborn fetus, and otherwise allows the Office of Policy and Management secretary, at the Chief Medical Examiner’s request, to waive this fee.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of bodies of individuals under the age of eighteen requiring cremation certificates in the out years.

**OLR Bill Analysis****HB 5274*****AN ACT CONCERNING THE FEE FOR A CREMATION CERTIFICATE FOR DECEASED PERSONS UNDER THE AGE OF EIGHTEEN.*****SUMMARY**

This bill exempts a decedent's estate from having to pay the \$150 cremation certificate fee for cremating the body of a person under the age of eighteen.

Existing law, unchanged by the bill, (1) exempts from the fee the cremation of a stillborn fetus and (2) otherwise allows the Office of Policy and Management secretary, at the Chief Medical Examiner's request, to waive the fee.

By law, cremation certificates are generally required to cremate a body. A medical examiner or authorized designee must complete the certificate, stating that they have inquired into the cause and manner of death and believe that no further examination or judicial inquiry is needed.

EFFECTIVE DATE: July 1, 2022

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 31 Nay 0 (03/11/2022)