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SENATE BILL 226

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING FOR BURIAL OR
CREMATION EXPENSES FOR INDIGENT PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-13-3 NMSA 1978 (being Laws 1939,
Chapter 224, Section 3, as amended) is amended to read:

"24-13-3. EXPENSES FOR BURIAL OR CREMATION.--If the
unclaimed decedent had known assets or property of sufficient
value to defray the expenses of cremation or burial, invoices
for the expenses shall be forwarded to such person or
official authorized by law to be appointed administrator of
the estate of the decedent, and such person or official shall
pay the expenses out of the decedent's estate. To the extent
that the deceased person is indigent, the burial or cremation
expenses shall be borne by the county of residence of the
deceased person. If the county of residence of the deceased

.131416.1

underscoring material = new
~~[bracketed material] = delete~~

1 person is not known, the burial or cremation expenses shall
2 be borne by the county in which the body was found. The
3 burial or cremation expenses may be paid by the county out of
4 the ~~[general fund]~~ county indigent hospital claims fund in an
5 amount up to six hundred dollars (\$600) for the burial or
6 cremation of any adult or minor."

7 Section 2. Section 27-5-7.1 NMSA 1978 (being Laws 1993,
8 Chapter 321, Section 16) is amended to read:

9 "27-5-7.1. COUNTY INDIGENT HOSPITAL CLAIMS FUND--
10 AUTHORIZED USES OF THE FUND.--

11 A. The fund shall be used:

12 (1) to meet the county's contribution for
13 support of sole community provider payments as calculated by
14 the department for that county; ~~[and]~~

15 (2) to pay expenses of burial or cremation
16 of an indigent person; and

17 ~~[+2)]~~ (3) to pay all claims that have been
18 approved by the board that are not matched with federal funds
19 under the state medicaid program.

20 B. The fund may be used to meet the county's
21 obligation under Section 27-10-4 NMSA 1978.

22 ~~[C. Until June 30, 1996, the cash reserves from~~
23 ~~the fund may be used to meet the county's obligation under~~
24 ~~Section 27-10-4 NMSA 1978.]"~~
25