

1 AN ACT relating to cremation of dead bodies.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 72.450 is amended to read as follows:

4 (1) *(a)* A coroner who has possession of a dead body or a part thereof shall make a
5 bona fide attempt of at least thirty (30) days to notify the spouse, if any, or
6 next of kin of the decedent's death. In the event the coroner is unable to locate
7 the spouse, if any, or next of kin, or if the spouse or next of kin does not take
8 possession of the deceased, he or she may cause the body to be buried or
9 cremated at the expense of the fiscal court, consolidated local government, or
10 urban-county government, whichever is appropriate.

11 *(b) The decision between burial or cremation shall be made by the fiscal court,*
12 consolidated local government, or urban-county government that has
13 responsibility for the expense pursuant to this subsection.

14 *(c) If a fiscal court, consolidated local government, or urban-county*
15 government has responsibility for the expense pursuant to this subsection, it
16 shall consult with:

17 *1. The local county coroner before it makes the decision between burial*
18 *and cremation; and*

19 *2. If the decedent is known to be a member of a religious community,*
20 *any such religious community that has expressed, in writing, a*
21 *willingness to the local county coroner that it will pay for, or otherwise*
22 *provide, the burial expense of the community's members.*

23 (2) In the event the body is buried or cremated at public expense, the coroner shall take
24 possession of all money or other property found on or belonging to the decedent
25 and shall deliver same to the fiscal court, consolidated local government, or urban-
26 county government, whichever is appropriate. Any money or other property found
27 on the body of the decedent or belonging to him or her shall be delivered by the

1 coroner to the fiscal court, consolidated local government, or urban-county
2 government, whichever is appropriate, to help defray burial or cremation expenses.
3 Any excess funds shall escheat to such governmental agency one (1) year
4 thereafter.

5 (3) In lieu of having an unclaimed body buried or cremated at public expense, the
6 coroner may deliver such body or part thereof to a state medical school in
7 accordance with the provisions of KRS 311.300 to 311.350.