

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2874

Chapter 108, Laws of 1992

52nd Legislature
1992 Regular Session

FUNERAL EXPENSES OF PUBLIC ASSISTANCE RECIPIENTS--RESPONSIBILITY

EFFECTIVE DATE: 6/11/92

Passed by the House March 9, 1992
Yeas 96 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate March 6, 1992
Yeas 48 Nays 0

JOEL PRITCHARD
President of the Senate

Approved March 31, 1992

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2874 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

March 31, 1992 - 12:01 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2874

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Human Services (originally sponsored by Representatives Winsley, Grant, Tate, Ogden, Neher, Leonard, Padden, Paris, Brough, Basich and Mitchell)

Read first time 02/07/92.

1 AN ACT Relating to funeral expenses of a deceased person; amending
2 RCW 68.50.160 and 74.08.120; and adding a new section to chapter 74.08
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 68.50.160 and 1943 c 247 s 29 are each amended to read
6 as follows:

7 The right to control the disposition of the remains of a deceased
8 person, unless other directions have been given by the decedent, vests
9 in, and the duty of (~~(interment)~~) disposition and the liability for the
10 reasonable cost of (~~(interment)~~) preparation, care, and disposition of
11 such remains devolves upon the following in the order named:

- 12 (1) The surviving spouse.
- 13 (2) The surviving children of the decedent.
- 14 (3) The surviving parents of the decedent.

1 The liability for the reasonable cost of (~~interment~~) preparation,
2 care, and disposition devolves jointly and severally upon all kin of
3 the decedent hereinbefore mentioned in the same degree of kindred and
4 upon the estate of the decedent.

5 **Sec. 2.** RCW 74.08.120 and 1987 c 75 s 39 are each amended to read
6 as follows:

7 The term "funeral" shall mean the mortuary services needed for the
8 proper preparation, (~~transportation within the local service area~~
9 defined by the department,) preservation, and care of the remains of
10 a deceased person with needed facilities and appropriate memorial
11 services. "Transportation" shall mean transport of a body from place
12 of death to mortuary and transportation to place of disposition, within
13 the service area defined by the department. ("Burial") "Disposition"
14 includes necessary costs of a (~~lot~~) burial and cemetery plot or
15 cremation and disposition site, and all services related to interment
16 and the (~~customary~~) minimal memorial marking of a grave.

17 The department is hereby authorized to assume responsibility for
18 payment for the funeral, transportation, and (~~burial~~) disposition of
19 deceased persons dying without assets sufficient to pay for the minimum
20 standard (~~funeral~~) services herein provided: PROVIDED, HOWEVER, That
21 the secretary may furnish funeral assistance for deceased recipients if
22 they leave assets to a surviving spouse and/or to minor children and if
23 the assets are resources permitted to be owned by or available to an
24 eligible applicant or recipient under RCW 74.04.005, and the department
25 shall thereby have a lien against said assets as provided in RCW
26 43.20B.120. If the deceased person is survived by a spouse or is a
27 minor child survived by his parent or parents, the department may take
28 into consideration the assets of such surviving spouse, parent, or

1 parents in determining whether or not the department will assume
2 responsibility for the funeral, or disposition costs.

3 The department shall not pay more than cost for a minimum standard
4 service rendered by each vendor. Payments to the funeral director and
5 to the cemetery or crematorium will be made by separate vouchers. The
6 standard of such services and the uniform amounts to be paid shall be
7 determined by the department after giving due consideration to such
8 advice and counsel as it shall obtain from the trade associations of
9 the various vendors and related state departments, agencies, and
10 commissions. Payment made for any funeral, transportation, or burial
11 service by relatives, friends, or any other third party above a
12 donation level established by the department shall be subtracted from
13 the payment made by the department.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.08 RCW
15 to read as follows:

16 If the deceased person is an adult and is survived by a parent or
17 parents, or children, the department may take into consideration the
18 assets of such parent, parents, or children in determining whether or
19 not the department will assume responsibility for the funeral,
20 transportation, or disposition costs.

Passed the House March 9, 1992.

Passed the Senate March 6, 1992.

Approved by the Governor March 31, 1992.

Filed in Office of Secretary of State March 31, 1992.