

**HOUSE . . . . . No. 4252**

By Messrs. Binienda of Worcester and O’Day of West Boylston,  
petition of John J. Binienda and others relative to the disposition of the  
unclaimed remains of certain cremated persons. Public Health.

**The Commonwealth of Massachusetts**

PETITION OF:

John J. Binienda  
James J. O’Day

John P. Fresolo  
Edward M. Augustus, Jr.

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE CREMATION OF BODIES OF CERTAIN DECEASED  
PERSONS.

*Be it enacted by the Senate and House of Representatives in General  
Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 43 M of chapter 114 of the General Laws,  
2 as appearing in the 2006 Official Edition, is hereby amended by  
3 inserting after the 3rd sentence the following 2 sentences:—  
4 The remains of a human body after cremation, if not claimed by a  
5 next-of-kin or duly authorized representative within 2 years in the  
6 possession of a funeral establishment shall be buried or scattered in a  
7 respectful manner in a cemetery in an area designated for that  
8 purpose. Each cemetery and funeral establishment shall maintain  
9 records of such dispositions.

1 SECTION 2. Said chapter 114 of the General Laws is hereby fur-  
2 ther amended by inserting after section 43 M, the following  
3 section:—  
4 Section 43 M½. The disposition of the body of a deceased person  
5 who is without sufficient assets or financially responsible relatives to  
6 pay for funeral and burial expenses or who has no next-of-kin or  
7 authorized person to sign a cremation authorization from shall be  
8 cremated and the funeral director shall be authorized to sign such  
9 form at his option. The funeral director shall prepare such form

10 listing all details, that all means have be taken to locate a next-of-kin  
11 or authorized person. The form shall be notarized as a permanent  
12 record. The funeral establishment shall maintain all records relative  
13 to the cremation and all records shall be available for inspection.