AN ACT TO AMEND SECTION 41-39-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE CORONER TO DISPOSE OF A PAUPER'S REMAINS; TO BRING FORWARD SECTION 43-31-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 41-39-5, Mississippi Code of 1972, is amended as follows:

41-39-5. Any physician, hospital, funeral director, embalmer, coroner or other person acquiring possession of a dead human body or portion thereof which is not claimed for burial or cremation within forty-eight (48) hours of its acquisition shall give written notice thereof to the board of supervisors, or a member thereof, of the county in which the dead body or portion thereof is located, furnishing such identification of the decedent as may be available. The board of supervisors shall make reasonable efforts to notify members of the decedent's family or other known interested persons, and, if the dead body or portion thereof shall not be claimed for burial or cremation by any interested person within five (5) days of the aforementioned written notice, the board of supervisors shall, as soon as it may think appropriate, authorize and direct the burial or cremation and burial of the residue of such dead body or portion thereof. In its discretion and where otherwise permitted to do so by law, the board of supervisors may direct the disposition of the dead body or portion thereof as provided by Section 41-39-7. The reasonable expense of such burial or cremation and burial of the residue of a dead body shall be borne by the estate of the decedent or of any person liable at law for the necessities of the
decendant during his lifetime or, if they are unable to pay the
same, by the county of residence or settlement of the decedent, if
known, and, if not known, by the county in which the dead body or
portion thereof is located.

If the person having possession of such dead human body or
portion thereof shall have no available means of preserving the
same and shall so notify the board of supervisors, or a member
thereof, of the county in which the dead body or portion thereof
is located, it shall be the duty of the board of supervisors to
make arrangements for the preservation of the same until burial or
cremation and burial of the residue of the dead body as
hereinabove provided, and the expense of such preservation shall
be borne as hereinabove provided with respect to the expense of
burial or cremation.

If the remains are cremated, the person disposing of the
remains is not required to retain the ashes more than six (6)
months from the cremation, after which the ashes may be suitably
dispersed in a natural area.

SECTION 2. Section 43-31-31, Mississippi Code of 1972, is
brought forward as follows:

43-31-31. The municipal authorities of every city, town, and
village shall bury all strangers found dead within their limits,
or found floating in any waters at a point adjoining their limits,
and all expenses or charges shall be chargeable to the county; and
an accurate account thereof shall be reported to the board of
supervisors, who shall allow the same, and order it to be paid out
of the county treasury; but the boards of supervisors may fix
maximum charges for such burials.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2003.