

Senate Bill 83

By: Senators Gooch of the 51st, Hill of the 32nd, Carter of the 1st, Beach of the 21st, Tolleson of the 20th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 12 of Title 36 of the Official Code of Georgia Annotated, relating to the  
2 supervision and support of paupers, so as to provide for cremation as an alternative for  
3 deceased indigents; to provide for related matters; to repeal conflicting laws; and for other  
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 12 of Title 36 of the Official Code of Georgia Annotated, relating to the supervision  
8 and support of paupers, is amended by revising Code Section 36-12-5, relating to the  
9 interment of deceased indigents, as follows:

10 "36-12-5.

11 (a) Whenever any person dies in this state and the decedent, his or her family, and his or  
12 her immediate kindred are indigent and unable to provide for ~~his~~ the decedent's decent  
13 interment or cremation, the governing authority of the county wherein the death occurs  
14 shall make available from county funds a sum sufficient to provide a decent interment or  
15 cremation of the deceased indigent person or to reimburse such person as may have  
16 expended the cost thereof voluntarily, the exact amount thereof to be determined by the  
17 governing authority of the county but shall not exceed the lesser of the actual costs of  
18 interment or cremation.

19 (b) The Department of Corrections is authorized to reimburse the governing authority of  
20 the county where expenditures have been made in accordance with this Code section for  
21 the burial or cremation of any inmate under the authority, jurisdiction, or control of the  
22 Department of Corrections; but in no case shall the governing authority of the county be  
23 entitled to reimbursement where the decedent was in the custody of a county correctional  
24 institution or other county correctional facility."

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.