

No. 121

AN ACT

HB 1009

Amending the act of June 11, 1935 (P.L.326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by counties of the first class toward funeral expenses of deceased service persons and their widows.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The first paragraph of section 2 and sections 3 and 4, act of June 11, 1935 (P.L.326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," amended August 11, 1967 (P.L.211), are amended to read:

Section 2. Sum to be Spent.—Any county of the first class of this State is hereby authorized and directed to contribute the sum of seventy-five dollars (\$75.00) *and may contribute an additional sum of twenty-five dollars (\$25.00)* towards the funeral expenses of each deceased service person in the cases enumerated below, where in each case application therefor is made within one year after the date of his or her death: Provided, That in the case of any deceased service person who died while in the service, application need not be made within one year after the date of his or her death, but may be made at any time thereafter, if the reason for the delay is satisfactory to the county. Payment shall be made under the following circumstances:

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Section 3. Burial of Widows of Deceased Service Persons.—Upon due application and proof, such county is hereby authorized and directed to contribute the sum of seventy-five dollars (\$75.00) *and may contribute an additional sum of twenty-five dollars (\$25.00)* from the county funds toward the funeral expenses of any widow of any male, deceased service person who, at the time of her death, had a legal residence in the county, whether or not she died in the county, and whether or not she was buried in the county: Provided, however, That the county shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person, nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person.

Section 4. Payments.—It shall be the duty of each such county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars (\$75.00), *or one hundred dollars (\$100.00) if the additional sum of twenty-five dollars (\$25.00) is authorized*, for each body buried in accordance with the provisions of this act, to be paid out of the funds of the county, and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid, otherwise to the undertaker performing the services, with notice to the applicant.

Application for such contribution shall be made by the personal representative of such deceased service person or deceased service person's widow, if there be such personal representative, if no such personal representative has qualified, then by any next of kin, individual or veterans' organization who, or which, assumes responsibility for the cost of burial of the body, and shall be sustained by affidavit as to the facts.

Such application shall be on forms prescribed by the Department of Military Affairs, and shall set forth whether or not the funeral expenses have been paid. The application shall have attached thereto, a certified copy of the death certificate, and an affidavit by the undertaker, who had charge of the burial of the body, and to the effect that the undertaker did render such service.

APPROVED—The 5th day of November, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 121.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and "T".

Secretary of the Commonwealth.