

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1123** Session of  
1977

INTRODUCED BY DeMEDIO, ZELLER, LOGUE, LEVI, MANMILLER AND  
M. M. MULLEN, MAY 5, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 5, 1977

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,  
2 as amended, "An act relating to counties of the second class  
3 and second class A; amending, revising, consolidating and  
4 changing the laws relating thereto," further regulating  
5 contributions made by counties towards funeral expenses of  
6 deceased service persons and their widows.

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

9 Section 1. Sections 2109, 2110 and 2111, act of July 28,  
10 1953 (P.L.723, No.230), known as the "Second Class County Code,"  
11 amended December 29, 1971 (P.L.658, No.173), are amended to  
12 read:

13 Section 2109. Funeral Expenses of Deceased Service  
14 Persons.--(a) Any county is hereby authorized and directed to  
15 contribute the sum of seventy-five dollars (\$75) and may  
16 contribute an additional sum of [twenty-five dollars (\$25)]  
17 seventy-five dollars (\$75) towards the funeral expenses of each  
18 deceased service person in the cases enumerated below, where in  
19 each case application therefor is made within one year after the  
20 date of his or her death. In the case of any deceased service

1 person who died while in the service, application need not be  
2 made within one year after the date of his or her death, but may  
3 be made at any time thereafter.

4 (b) Payments shall be made under the following  
5 circumstances:

6 (1) Where the deceased service person, at the time of his or  
7 her death, had his or her legal residence in the county, whether  
8 or not he or she died in the county and whether or not he or she  
9 was buried in the county. It is hereby declared to be the intent  
10 of the General Assembly that every deceased service person  
11 having a legal residence in this Commonwealth at the time of his  
12 or her death shall be entitled to the benefits of this section,  
13 regardless of where he or she may have died or where he or she  
14 may be buried, and that the liability therefor shall be on the  
15 county where the deceased service person shall have had his or  
16 her legal residence at the time of his or her death.

17 (2) Where the deceased service person died and was buried in  
18 the county, but at the time of his or her death did not have a  
19 legal residence within this Commonwealth, if the county  
20 commissioners of the county where he or she died are notified in  
21 writing by any organization of veterans that the body is  
22 unclaimed by relatives or friends and upon investigation shall  
23 find such condition to exist.

24 (3) Where a deceased service person has died while a member  
25 of the Pennsylvania Soldiers' and Sailors' Home at Erie,  
26 Pennsylvania, or the Veterans' Home at Hollidaysburg, and such  
27 home incurs all funeral expenses and buries the soldier in a  
28 cemetery in the City of Erie or Hollidaysburg, Pennsylvania, or  
29 the home furnishes clothing, casket and shipping case and ships  
30 the body to the county from which he was admitted to the home,

1 the county from which he was admitted shall reimburse and pay to  
2 the Pennsylvania Soldiers' and Sailors' Home the amount of  
3 seventy-five dollars (\$75), or so much thereof as was actually  
4 expended by the home.

5 Section 2110. Burial of Widows of Deceased Service  
6 Persons.--Upon due application and proof, the county is hereby  
7 authorized and directed to contribute the sum of seventy-five  
8 dollars (\$75), and may contribute an additional sum of [twenty-  
9 five dollars (\$25)] seventy-five dollars (\$75) from the county  
10 funds towards the funeral expenses of any widow of any male  
11 deceased service person who, at the time of her death, had a  
12 legal residence in the county, whether or not she died in the  
13 county and whether or not she was buried in the county. The  
14 county shall not contribute any moneys toward the funeral  
15 expenses of any such widow of a deceased service person who had  
16 remarried after the death of such deceased service person, nor  
17 unless application for the payment of such moneys shall be made  
18 within one year after the date of the death of such widow.

19 Section 2111. Payment.--(a) It shall be the duty of the  
20 county to cause a warrant to be drawn upon the treasury of the  
21 county in the sum of seventy-five dollars (\$75), or [one hundred  
22 dollars (\$100)] one hundred fifty dollars (\$150) if the  
23 additional sum of [twenty-five dollars (\$25)] seventy-five  
24 dollars (\$75) is authorized, for each body buried in accordance  
25 with the provisions of this subdivision, to be paid out of the  
26 funds of the county, and such warrants shall be made payable to  
27 the applicant or applicants if the application shows that the  
28 funeral expenses have been paid; otherwise, to the undertaker  
29 performing the services, with notice to the applicant.

30 (b) Application for such contribution shall be made by the

1 personal representative of such deceased service man or deceased  
2 service man's widow, if there be such personal representative,  
3 and if no such personal representative has qualified, then by  
4 any next of kin, individual or veterans' organization who or  
5 which assumes responsibility for the cost of burial of the body.  
6 The application shall be sustained by affidavit as to the facts.

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

14 Section 2. This act shall take effect immediately.