

2021 Regular Session

HOUSE BILL NO. 513

BY REPRESENTATIVE LANDRY

FUNDS/FUNDING: Establishes a burial fund for pregnancy-related maternal deaths

1 AN ACT

2 To enact Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 39:100.11, relative to creation of
4 a special fund in the treasury for burial costs for pregnancy-related maternal deaths;
5 to provide for deposit of monies into the fund; to provide an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
9 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, is hereby enacted to read
10 as follows:

11 SUBPART H. BURIAL FUND FOR PREGNANCY-RELATED

12 MATERNAL DEATHS

13 §100.11. Burial fund for pregnancy-related maternal deaths

14 A. There is hereby created, as a special fund in the state treasury, the Burial
15 Fund for Pregnancy-Related Maternal Deaths, hereinafter referred to as the "fund"
16 to provide assistance to next of kin for burial costs in the event of a pregnancy-
17 related maternal death.

18 B. After compliance with the requirements of Article VII, Section 9(B) of
19 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
20 and after a sufficient amount is allocated from that fund to pay all of the obligations

1 secured by the full faith and credit of the state which become due and payable within
 2 any fiscal year, the treasurer shall deposit into the fund any gifts, grants, donations,
 3 or legislative appropriations made to the fund. All unexpended and unencumbered
 4 monies in the fund at the end of the fiscal year shall remain in the fund. Monies in
 5 the fund shall be invested in the same manner as monies in the state general fund,
 6 and interest earned on such investment shall be deposited into the fund.

7 C. The Legislature shall provide by law for a program to administer
 8 payments from the fund. Any such program shall require payments made from the
 9 fund to be payable directly to the funeral establishment furnishing funeral goods and
 10 services to the family of the deceased. For the purposes of this Section, the terms
 11 "funeral establishment" and "funeral goods and services" shall have the same
 12 meaning as in R.S. 37:831.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
 14 signed by the governor, upon expiration of the time for bills to become law without signature
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 17 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 513 Engrossed

2021 Regular Session

Landry

Abstract: Establishes the Burial Fund for Pregnancy-Related Maternal Deaths (hereafter "fund") in the state treasury and provides for deposit of monies into the fund.

Proposed law creates the fund as a special fund in the state treasury. Requires that, after allocation of monies pursuant to present constitution relative to the Bond Security and Redemption Fund, the treasurer shall deposit into the fund all gifts, grants, donations, and appropriations made to the fund. Further provides that all unexpended and unencumbered monies in the fund shall remain in the fund. Provides that monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund. Authorizes interest earned on investment of fund monies to be credited to the fund.

Proposed law further requires the legislature to provide by law for a program to administer payments from the fund. Further requires any such program to mandate that payments made from the fund be payable directly to the funeral establishment furnishing funeral goods and services to the family of the deceased. Uses definitions in present law (R.S. 37:831) for

"funeral establishment" and "funeral goods and services": "funeral establishment" means any place or premises duly licensed by the board and devoted to or used in the care and preparation for disposition of the body of a deceased person or maintained or held out to the public by advertising or otherwise as the office or place for the practice of funeral directing and "funeral goods and services" means one or more of (a) goods which are sold or offered for sale directly to the public for use in connection with funeral services, (b) any services which may be used to care for or prepare deceased human remains for burial, cremation, or other final disposition, (c) the arranging, supervising, or conducting of the funeral ceremony or the final disposition of deceased human bodies, and (d) funeral merchandise.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 39:100.11)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Require any program adopted pursuant to proposed law to provide for payments to be made directly to the "funeral establishment" furnishing "funeral goods and services" to the family of the deceased, as defined in present law.