

## ASK THE LEAGUE

*Our municipality used to have to pay the burial expenses for residents with no assets. Is that still the case?*

Municipalities are no longer responsible for the burial of individuals who at the time of their death had no assets to pay for their burial. Under prior law, a municipality shared this responsibility with the state. The state paid for the cost of burial if the person was a veteran, received state or federal assistance, or was an inmate of a state institution and had no assets. A municipality was responsible for arranging and paying for burial of all other residents not covered by the state. This responsibility frequently surprised municipal officials and led to confusion about the process for arranging for burial and what expenses the municipality was required to cover at a very emotional time for a family.

Act 162 of 2012 amended Title 33, Chapter 23, *Burial at Public Expense*, and removed all municipal responsibility for arranging and paying for burial of those individuals who had no assets to pay for their own burial. 33 V.S.A. § 2301(c). Effective July 1, 2012, the State of Vermont will now pay to bury these individuals. Town officials should direct families to the Department for Children and Families (<http://dcf.vermont.gov/>) in the Agency of Human Services for more information.

Stephanie Smith AICP, Senior Associate  
VLCT Municipal Assistance Center