



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2009 Wisconsin Act 393**  
[2009 Senate Bill 338]

**Funeral and Burial Expenses**

*2009 Wisconsin Act 393* amends the statutes regarding the maximum amount of funeral and burial expenses that may be reimbursed under the funeral, burial, and cemetery expenses program.

Current law provides that a county department of social services or human services or applicable tribal body must, under certain circumstances, pay the funeral and burial expenses of a decedent who received benefits under certain public assistance programs, including Wisconsin Works and Medical Assistance. Prior to Act 393, the county or tribe was required to pay the funeral and burial expenses not paid by the estate or other persons in an amount not to exceed \$1,500, if the total funeral and burial expenses did not exceed \$3,500.

Act 393 provides that if the total funeral and burial expenses do not exceed \$4,500, then the county or the applicable tribal body must pay the funeral and burial expenses not paid by the estate and other persons in an amount not to exceed \$1,500. The Act first applies to funeral and burial expenses incurred on account of deaths occurring on the effective date of the Act.

**Effective date:** The Act takes effect on January 1, 2011.

**Prepared by:** Ronald Sklansky, Senior Staff Attorney

May 21, 2010

RS:jal;ty

---

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.