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Disposition of Unclaimed Dead Bodies

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Disposition of Unclaimed Dead Bodies

Reference Number: CTAS-2121

Tennessee Code Annotated §§ 68-4-102 - 68-4-103 govern the disposition of unclaimed bodies of persons dying in charitable or penal institutions, publicly supported institutions, and those "delivered to a public official for burial or cremation at public expense." The requirements are very generally summarized as follows:

- "Immediately" notify the nearest or other relative of the person, if any relative is known.
- Hold the body for 96 hours after notification of relative.
- If the body is unclaimed after 96 hours, notify the chief medical examiner.
- If the chief medical examiner does not demand the body within 72 hours, the body "shall be buried as provided by law or cremated in accordance with § 68-4-113."

Pursuant to T.C.A. § 68-4-113, the coroner, medical investigator or county medical examiner may direct the cremation of an unclaimed dead body, provided that the proper notice is given and the body is held for the time period provided in T.C.A. § 68-4-103.

If the disposition of the remains of the decedent becomes the responsibility of the county, the public officer or employee responsible for arranging the final disposition of the decedent's remains shall have the right to control the location, manner and conditions of disposition. T.C.A. § 62-5-703(11).

Counties are authorized to appropriate moneys for the burial or cremation expenses of any poor person dying in the county, leaving no means to pay for the same. T.C.A. § 5-9-101(4).

Before the county can pay for a pauper's burial, an affidavit must be filed with the county showing the cost, and that the person was buried in the county, and that the claimant has no other means of obtaining payment. T.C.A. § 5-9-311.

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