

DIGNIFIED BURIAL OF VETERANS REMAINS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: John R. Westwood

LONG TITLE

General Description:

This bill provides a process for certain entities to identify, claim, and inter the unclaimed cremated remains of veterans.

Highlighted Provisions:

This bill:

- ▶ establishes the duties of a veterans remains organization;
- ▶ authorizes a facility holding unclaimed cremated remains to release status information or the remains; and
- ▶ provides for the participation in the burial process by a state agency.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

71-7-5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **71-7-5** is enacted to read:

71-7-5. Veterans Remains Organization -- Funeral service establishments --



28 **Liability -- State agency -- Responsibilities.**

29 (1) As used in this section:

30 (a) "Remains facility" means the same as a funeral service establishment defined in
31 Section 58-9-102.

32 (b) "Status information" means a veteran or a veteran's dependent's name, date of birth,
33 place of birth, date of death, Social Security number, military service number, branch of
34 service, and military rank on date of death.

35 (c) "Veterans Remains Organization" means an entity recognized and authorized by the
36 United States Veterans Administration and the National Personnel Records Center to verify
37 and inter the unclaimed cremated remains of United States military veterans or veterans'
38 dependents.

39 (2) A veterans remains organization may contact a remains facility for the purpose of
40 identifying any unclaimed cremated remains of a military veteran or a veteran's dependent.

41 (a) Upon contact with the remains facility, the organization shall:

42 (i) provide identifying documentation to the remains facility; and

43 (ii) with the permission of the remains facility, inventory any unclaimed cremated
44 remains in order to identify any remains of a veteran or a veteran's dependent.

45 (b) The organization shall contact the National Personnel Records Center to determine
46 if any of the unclaimed cremated remains are:

47 (i) a veteran's or a veteran's dependent's remains; and

48 (ii) eligible for interment benefits.

49 (c) The organization shall claim any unclaimed cremated remains from a remains
50 facility upon providing the facility with proof that the remains are those of a veteran or a
51 veteran's dependent and are eligible for interment benefits.

52 (d) The organization shall make arrangements to inter the remains.

53 (3) A remains facility:

54 (a) may allow a veterans remains organization, upon presentation of identification, to
55 inventory unclaimed cremated remains;

56 (b) shall provide all status information in the remains facility's possession to a veterans
57 remains organization;

58 (c) shall release any unclaimed cremated remains to a veterans remains organization

59 upon presentation of documentation that the remains are of a veteran or a veteran's dependent
60 who is eligible for burial in a state or national cemetery; and

61 (d) is not subject to civil liability for release of status information or release of the
62 unclaimed cremated remains following the presentation of documentation indicating the
63 remains are those of a veteran or a veteran's dependent and eligible for interment benefits.

64 (4) The Utah Department of Veteran's Affairs shall, upon presentation of
65 documentation that certain cremated remains in the possession of a veterans remains
66 organization are those of a veteran or a veteran's dependent and eligible for interment benefits:

67 (a) authorize the interment of the cremated remains in a state veterans' cemetery; and

68 (b) provide assistance to the veterans remains organization in the interment process.

Legislative Review Note
as of 2-14-13 8:42 AM

Office of Legislative Research and General Counsel