

Idaho Statutes

TITLE 54

PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 11

MORTICIANS, FUNERAL DIRECTORS AND EMBALMERS

54-1144. Unclaimed remains of veterans. (1) The division of veterans services may assume control over the cremated remains of a deceased person if:

(a) The decedent's remains have not been disposed of pursuant to a prearranged funeral plan as set forth in section [54-1139](#), Idaho Code;

(b) The persons vested with the right to control the disposition of the remains of a deceased person pursuant to section [54-1142](#), Idaho Code, have not made final arrangements for the disposition of the remains within one (1) year following the deceased person's death or have not exercised control over those remains for a period of one (1) year; and

(c) The division of veterans services certifies that the deceased person is eligible for interment at the state veterans cemetery as an armed forces member pursuant to the rules of the state veterans cemetery.

(2) An Idaho chapter of a nationally chartered veterans services organization may assume control over the cremated remains of a deceased person if:

(a) The decedent's remains have not been disposed of pursuant to a prearranged funeral plan as set forth in section [54-1139](#), Idaho Code;

(b) The persons vested with the right to control the disposition of the remains of a deceased person pursuant to section [54-1142](#), Idaho Code, have not made final arrangements for the disposition of the remains within one (1) year following the deceased person's death or have not exercised control over those remains for a period of one (1) year; and

(c) The Idaho chapter of a nationally chartered veterans services organization certifies that:

(i) The deceased person is an armed forces member as defined in the rules of the state veterans cemetery;

(ii) The Idaho chapter of a nationally chartered veterans services organization shall be solely responsible for the costs of interment, including the application for and receipt of any available governmental benefits.

(3) There shall be no liability of a funeral establishment, mortuary, cemetery, crematory, or a related entity, a licensed mortician, or licensed funeral director, or any employee or agent thereof who transfers the cremated remains of a deceased person to the division of veterans services or an Idaho chapter of a nationally chartered veterans services organization pursuant to the provisions of this section.

(4) There shall be no liability of the state of Idaho or any employee or agent thereof related to the transfer of the cremated remains of a deceased person to an Idaho chapter of a nationally chartered veterans services organization or the interment of such remains pursuant to the provisions of this section.

History:

[54-1144, added 2003, ch. 53, sec. 1, p. 194.]