

- [HB0516](#)

Updated Bills

[HB0516](#) sponsored by [Lisa M. Dugan](#)
VETERANS-DISPOSITION CREMAINS

VETERANS-DISPOSITION CREMAINS

Creates the Disposition of Veterans' Cremains Act. Provides that a funeral director must make a reasonable effort to determine whether a deceased person, whose remains have been submitted for final disposition by cremation, was a veteran of the armed services ("veteran"), a spouse of a veteran, or the dependent child of a veteran. If there is uncertainty regarding the deceased person's status and no authorizing agent exists, the funeral director may allow the National Cemetery Administration's National Cemetery Scheduling Office, any veterans organization whose primary purpose is to locate, identify, and inter the unclaimed cremains of American veterans, or any federally-chartered veterans service organization to have access to the cremains and all information regarding the deceased person in the possession of the funeral director so that the deceased person's status may be determined. If the deceased person is identified as a veteran, spouse of a veteran, or dependent child of a veteran, requires the funeral director to notify the authorizing agent over the disposal of the cremains that the decedent may be eligible to be interred at a veterans' cemetery. Provides that if the cremains are not claimed by an authorizing agent after one year and the authorizing agent then fails to respond within 30 days to the funeral director's written request for disposition instructions, the funeral director must then contact any veterans organization whose primary purpose is to locate, identify, and inter the unclaimed cremains of American veterans or any federally-chartered veterans service organization so that arrangements for the disposition of the cremains of the veteran, spouse of a veteran, or dependent child of a veteran may be made in a state or national veterans' cemetery. Provides that a funeral director complying with this Act is immune from any criminal or civil liability regarding the release of information relative to the determination of the status as a veteran or any available interment as a veteran or for the release of the cremains to a veterans' cemetery. Effective immediately.

House Committee Amendment No. 1

Replaces everything after the enacting clause and reinserts the original bill as introduced with the following changes: Changes the short title of the Act to the Disposition of Veterans' Cremated Remains Act; replaces all references to "cremains" with "cremated remains"; provides that the Act shall apply to crematory authorities in addition to funeral directors; defines "crematory authority"; replaces "order of disposition for cremation" with "at-need cremation authorization"; provides that nothing in the Act shall apply to a pre-need cremation authorization until it becomes an at-need cremation authorization; provides that nothing in the Act shall delay the cremation of a deceased person's remains as authorized by an at-need cremation authorization; provides that the funeral director or crematory authority must send written notice to an authorizing agent requesting disposition instructions after holding the cremated remains for 60 days in accordance with the Crematory Regulation Act; provides that the Act shall apply to inurnment in addition to interment; provides that a funeral director or crematory authority shall be immune from civil liability for any act or omission under the Act, except for willful or wanton misconduct; provides that a veterans organization or federally-chartered veterans service organization shall be immune from civil liability for any act or omission related to the disposition of cremated remains under the Act, except for willful or wanton misconduct; makes changes to the definition of "authorizing agent" and "veteran".

Latest Actions - **items in red** are new actions since the last update

- **07/27/2009** - Governor Approved
- **07/27/2009** - Public Act 96-0081
- 06/17/2009 - Sent to the Governor
- 05/19/2009 - Passed Both Houses
- 05/19/2009 - Third Reading - Passed; 058-000-000