

1 **SENATE FLOOR VERSION**

2 February 13, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 340

By: Simpson of the Senate

and

Hardin (Tommy) of the House

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7
8 **[soldiers and sailors - burial - increasing maximum**
9 **reimbursement - eligibility requirements -**
10 **responsibilities - effective date]**

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 1, Chapter 394, O.S.L.
14 2016 (72 O.S. Supp. 2018, Section 34), is amended to read as
15 follows:

16 Section 34. A. The Oklahoma Department of Veterans Affairs
17 shall establish a program to provide assistance for the proper
18 interment or cremation of honorably discharged indigent veterans of
19 the United States Armed Forces. The program shall aid in obtaining
20 any available burial benefits from the United States Department of
21 Veterans Affairs or through private organizations. The program
22 shall provide for a burial grant for any indigent veteran or any
23 person who qualifies for ~~financial assistance~~ reimbursement as
24 determined by the Oklahoma Department of Veterans Affairs, for

1 unpaid expenses directly resulting from interment or cremation.
2 Maximum reimbursement shall not exceed ~~Five Hundred Dollars~~
3 ~~(\$500.00)~~ One Thousand Dollars (\$1,000.00) per indigent veteran
4 application.

5 B. Eligibility ~~and approval~~ requirements for the program shall
6 be as follows:

7 1. ~~The indigent veteran has been determined to be homeless as~~
8 ~~defined as follows: a homeless veteran is an individual without~~
9 ~~permanent housing who may live on the streets, stay in a shelter,~~
10 ~~mission, abandoned building or in any other unstable or non-~~
11 ~~permanent situation, and who is eligible under 38 Code of Federal~~
12 ~~Regulation 38.620;~~

13 ~~2. The deceased shall be a veteran as defined by 38 U.S.C.~~
14 ~~101(2) and verified by discharge records. An Oklahoma resident who~~
15 ~~served in the National Guard or Reserve Component whose only service~~
16 ~~is active duty training or inactive duty for training but meets all~~
17 ~~other 38 Code of Federal Regulations 38.620 statutes is eligible for~~
18 ~~the Indigent Veteran Burial Revolving Fund Section 2 of this title;~~

19 2. No one shall have claimed the remains of the deceased
20 Veteran;

21 3. The ~~Veteran~~ veteran shall have died in Oklahoma;

22 4. ~~The Veteran shall have been homeless and indigent at the~~
23 ~~time of death~~ The veteran shall not have been in the custody of the
24 Department of Corrections at the time of death;

1 5. ~~The Veteran's estate did not possess money or other assets~~
2 ~~to pay for or defray funeral expenses~~ The applicant shall provide
3 documentation establishing the burial location of the deceased
4 veteran's remains in a cemetery or the location where the deceased
5 veteran's cremains have been permanently placed; and

6 6. ~~There is no other person obligated by law to pay for funeral~~
7 ~~expenses of the deceased;~~ The applicant shall provide documentation
8 establishing that the deceased veteran received a proper memorial
9 headstone or marker at the place of his or her interment as provided
10 for in Section 2306 of Title 38 of the United States Code or that a
11 memorial headstone or marker meeting the same physical standards for
12 size, material, composition, placement and informational content was
13 provided in the event the deceased veteran did not qualify under the
14 provisions of Section 2306 of Title 38 of the United States Code.

15 ~~7. C.~~ C. The Executive Director of the Oklahoma Department of
16 Veterans Affairs or his or her designee shall make final approval of
17 Indigent Veteran Burial Applications;

18 ~~8. The approving authority,~~ shall determine whether the
19 deceased meets eligibility criteria and ~~approves~~ may approve funds
20 to ~~defray burial~~ reimburse the costs of interment or cremation.
21 ~~Reimbursement is limited to Five Hundred Dollars (\$500.00) per~~
22 ~~application;~~

23 ~~9. D.~~ D. Reimbursement ~~will~~ shall be paid from the Indigent
24 Veteran Burial Revolving Fund. If there are insufficient resources

1 in the Indigent Veteran Burial Revolving Fund, payment ~~will~~ shall be
2 made from the Oklahoma Department of Veterans Affairs Revolving
3 Fund, ~~and~~.

4 ~~10.~~ Once funds are available in the Indigent Veteran Burial
5 Revolving Fund, the Oklahoma Department of Veterans Affairs may be
6 reimbursed for payments made from the Oklahoma Department of
7 Veterans Affairs Revolving Fund.

8 ~~Rules and application~~ E. Application processes for the
9 implementation of this program shall be ~~promulgated~~ developed by the
10 ~~Executive Director of the~~ Oklahoma Department of Veterans Affairs.

11 F. Rules for the implementation of this program shall be
12 promulgated by the Oklahoma Veterans Commission.

13 SECTION 2. This act shall become effective November 1, 2019.

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
15 February 13, 2019 - DO PASS AS AMENDED
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