

An Act

ENROLLED HOUSE
BILL NO. 1067

By: Hardin (Tommy), Boles,
Fugate, Luttrell, and
Provenzano of the House

and

Simpson and Stephens of the
Senate

An Act relating to veterans; creating the Dignity in Burial Act; directing the Oklahoma Department of Veterans Affairs to establish a program to ensure dignified burial for certain veterans; describing program purpose; providing a burial grant to reimburse certain expenses of eligible persons; setting maximum amount of reimbursement; providing eligibility requirements for program; requiring Executive Director to determine final approval of applications; directing reimbursement from Indigent Veteran Burial Revolving Fund; providing alternate funds if there are insufficient resources; requiring development of application process for program; directing Oklahoma Veterans Commission to promulgate rules; providing for codification; and providing an effective date.

SUBJECT: Veterans

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 35 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Dignity in Burial Act".

B. The Oklahoma Department of Veterans Affairs shall establish a program to ensure a dignified burial for honorably discharged veterans of the United States Armed Forces who, prior to death, lacked the financial capacity to prepare for or to provide for an interment or cremation befitting a veteran of the United States Armed Forces. The program shall aid in obtaining any available burial benefits from the United States Department of Veterans Affairs or through private organizations. The program shall provide a burial grant for any veteran or any person who qualifies for reimbursement, as determined by the Oklahoma Department of Veterans Affairs, for unpaid expenses directly resulting from interment or cremation. The maximum amount of reimbursement, not including private funds, shall not exceed One Thousand Dollars (\$1,000.00) per application.

C. Eligibility requirements for the program shall be as follows:

1. The deceased shall be a veteran as defined in Section 2 of Title 72 of the Oklahoma Statutes;

2. The veteran shall have died in Oklahoma;

3. The veteran shall not have been in the custody of the Department of Corrections at the time of death;

4. The applicant shall provide documentation establishing the burial location of the deceased veteran's remains in a cemetery or the location where the deceased veteran's cremains have been permanently placed;

5. The applicant shall provide documentation establishing that the deceased veteran was provided an appropriate casket if the deceased veteran was interred; and

6. The applicant shall provide documentation establishing that the deceased veteran received a proper memorial headstone or marker at the place of his or her interment as provided in 38 U.S.C., Section 2306 or that a memorial headstone or marker meeting the same physical standards for size, material, composition, placement, and informational content was provided in the event the deceased veteran did not qualify under the provisions of 38 U.S.C., Section 2306.

D. The Executive Director of the Oklahoma Department of Veterans Affairs or his or her designee shall make final approval of the Dignity in Burial Act applications, shall determine whether the deceased meets eligibility criteria, and may approve funds to reimburse the costs of interment or cremation.

E. Reimbursement shall be paid from the Indigent Veteran Burial Revolving Fund provided in Section 34 of Title 72 of the Oklahoma Statutes. If there are insufficient resources in the Indigent Veteran Burial Revolving Fund, payment shall be made from the Oklahoma Department of Veterans Affairs Revolving Fund.

F. An application process for the implementation of this program shall be developed by the Oklahoma Department of Veterans Affairs.

G. Rules for the implementation of this program shall be promulgated by the Oklahoma Veterans Commission.

SECTION 2. This act shall become effective November 1, 2022.

Passed the House of Representatives the 9th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 25th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____