

1 ENGROSSED HOUSE  
2 BILL NO. 1052

By: Burns of the House

and

Simpson of the Senate

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6 An Act relating to soldiers and sailors; amending  
7 Section 1, Chapter 394, O.S.L. 2016 (72 O.S. Supp.  
8 2018, Section 34), which relates to interment or  
9 cremation assistance for indigent veterans;  
10 specifying certain program shall provide  
11 reimbursement for unpaid interment or cremation;  
12 increasing maximum reimbursement; modifying  
13 eligibility requirements for program; and providing  
14 an effective date.

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

16 SECTION 1. AMENDATORY Section 1, Chapter 394, O.S.L.  
17 2016 (72 O.S. Supp. 2018, Section 34), is amended to read as  
18 follows:

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

determined by the Oklahoma Department of Veterans Affairs, for  
unpaid expenses directly resulting from interment or cremation.

Maximum reimbursement shall not exceed ~~Five Hundred Dollars~~  
~~(\$500.00)~~ One Thousand Dollars (\$1,000.00) per indigent veteran  
application.

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

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

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

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

3. The Veteran shall have died in Oklahoma;

4. The Veteran shall not have been ~~homeless and indigent~~ in the  
custody of the 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.~~ 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 and~~ shall determine whether the  
19 deceased meets eligibility criteria and ~~approves~~ may approve funds  
20 to ~~defray burial~~ reimburse the costs. ~~Reimbursement is limited to~~  
21 ~~Five Hundred Dollars (\$500.00) per application;~~

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

1 made from the Oklahoma Department of Veterans Affairs Revolving  
2 Fund; ~~and~~.

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

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

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

11 Passed the House of Representatives the 6th day of March, 2019.

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14 Presiding Officer of the House  
of Representatives

15 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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18 Presiding Officer of the Senate