HOUSE BILL No. 1365

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-5-3-1.

Synopsis: Veterans' burial allowance. Permits counties to set the amount of the veterans' burial allowance with the amount of the allowance not to exceed $1,000.

Effective: July 1, 2002.

Richardson, Kuzman

January 15, 2002, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

C o p y

Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

C o p y

HOUSE BILL No. 1365

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 10-5-3-1, AS AMENDED BY P.L.16-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) Whenever any person, male or female, who has heretofore served, or who may hereafter serve, as a member of the armed forces of the United States as a soldier, sailor, or marine in the army, air force, or navy of the United States, or as a member of the women's components thereof, resident of any county of this state, and who, while a member of the armed forces and before discharge therefrom, or, who after receiving an honorable discharge therefrom, or the wife or widow, the husband or widower of any such member of the armed forces of the United States, resident of any county of this state, has died or shall hereafter die, upon **a** claim **for burial expenses** being filed by an interested person with the board of commissioners of the county of the residence of such deceased person, stating the fact of such service, death, and discharge, if discharged from such service prior to death, and that the body has been buried in a decent and respectable manner, in a cemetery or burial ground, such board of

commissioners shall hear and determine such claim, like other claims, filed for allowance by them, and if the facts averred are found to be true, as a tribute of respect due such member of the armed forces, shall make allowance of such claim in a sum **set by ordinance, but the amount of the allowance may** not ~~exceeding one hundred dollars ($100) for service rendered and material furnished in care of such body and where necessary an amount not to exceed twenty-five dollars ($25) for a place of burial of such body.~~ **exceed one thousand dollars ($1,000).**

(b) Only one (1) claim **for burial expenses** shall be allowed for any decedent who qualifies under this chapter, and the total sum of the claim filed and for which allowances shall be made ~~whether it be for service rendered and material furnished or service rendered, material furnished, and place for burial furnished~~ **shall be set by ordinance, but the amount of the allowance** shall not exceed ~~one hundred dollars ($100). However, should the federal government provide a marker for the grave of any such person, the board of commissioners shall make a further allowance of not more than one hundred dollars ($100) for the setting of such marker.~~ **one thousand dollars ($1,000).** Any sum of money expended by any county under the provisions of this chapter shall be considered as a gift, and no persons for and on behalf of the state of Indiana or any of its political subdivisions shall be authorized to file a claim for a lump sum death benefit, with the federal social security administration claiming reimbursement for any sum of money so expended.

(c) Before a person who will set a grave marker provided by the federal government ~~as described in subsection (b)~~ **for the grave of a person described in subsection (a)** enters into a contract to set the grave marker with a person who receives the grave marker from the federal government, or the person's representative, the person who will set the grave marker must disclose the following information to the person who receives the grave marker, or the person's representative:

(1) The price of the least expensive installation procedure that the person who will set the grave marker will charge for setting the grave marker and a description of the goods and services included in the procedure.

(2) The prices of any other installation procedures or options that may be performed or provided by the person who will set the grave marker and a description of the goods and services included in the procedures or options.

SECTION 2. [EFFECTIVE JULY 1, 2002] **IC 10-5-3-1, as amended by this act, applies to claims for burial expenses filed**

C o p y

1 **after June 30, 2002.**

C o p y