

1 S.138

2 Introduced by Senators Hooker, Balint, Benning, Brock, Collamore, Hardy,  
3 Ingram, Kitchel, Lyons, MacDonald, Mazza, McNeil, Parent,  
4 Pearson, Perchlik, Pollina, Rodgers and Starr

5 Referred to Committee on

6 Date:

7 Subject: Internal security and public safety; health; deaths, burials, and  
8 autopsies; Vermont Veterans Memorial Cemetery

9 Statement of purpose of bill as introduced: This bill proposes to permit funeral  
10 directors and crematory operators to have the cremated remains of a veteran to  
11 be interred at the Vermont Veterans Memorial Cemetery if the deceased  
12 veteran's remains have not been claimed by a relative within 30 days after  
13 cremation.

14 An act relating to the disposition of the remains of veterans

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 20 V.S.A. § 1586 is added to read:

17 § 1586. INTERMENT OF UNCLAIMED REMAINS OF VETERANS

18 (a) The Vermont Veterans Memorial Cemetery shall accept and inter the  
19 unclaimed remains of a veteran if a funeral director or crematory operator has

1 determined pursuant to 18 V.S.A. § 5230(b) that interment of the veteran's  
2 remains in the Cemetery is appropriate.

3 (b) The Commissioner of Buildings and General Services shall provide an  
4 appropriate memorialization to mark the grave of each veteran who is interred  
5 pursuant to this section.

6 Sec. 2. 18 V.S.A. § 5230 is amended to read:

7 § 5230. RIGHTS OF FUNERAL DIRECTOR OR CREMATORY

8 OPERATOR

9 (a) A funeral director or crematory operator may determine the final  
10 disposition of remains and may file a civil action in Probate Division of the  
11 Superior Court against a person, estate, banking institution, governmental  
12 agency, or other entity ~~which~~ that may have liability for the final disposition,  
13 either:

14 \* \* \*

15 (b) A funeral director or crematory operator may determine that the  
16 unclaimed cremated remains of a veteran shall be interred at the Vermont  
17 Veterans Memorial Cemetery pursuant to 20 V.S.A. § 1586 if:

18 (1) 30 days have passed since the funeral director or crematory operator  
19 cremated the remains; and

20 (2)(A) the funeral director or crematory operator has actual knowledge  
21 that there is no surviving family member, guardian, or individual appointed to

1 arrange for the disposition of the decedent's remains pursuant to chapter 231 of  
2 this title; or

3 (B) the funeral director or crematory operator has made reasonable  
4 efforts to locate and contact any known family member, guardian, or agent.

5 Sec. 3. EFFECTIVE DATE

6 This act shall take effect on July 1, 2019.