

An Act

ENROLLED SENATE
BILL NO. 398

By: Simpson, Shortey and
Pittman of the Senate

and

Roberts (Dustin), Hoskin,
Kern and Sherrer of the
House

An Act relating to soldiers and sailors; establishing an interment assistance program under the Oklahoma Department of Veterans Affairs; allowing for the promulgation of rules; providing for codification; and providing an effective date.

SUBJECT: Interment assistance for 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 34 of Title 72, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Department of Veterans Affairs shall establish a program to provide assistance for the proper interment or cremation of honorably discharged indigent veterans 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 for a burial grant for any indigent veteran or any person who qualifies for financial assistance as determined by the Oklahoma Department of Veterans Affairs. Maximum reimbursement shall not exceed Five Hundred Dollars (\$500.00) per indigent veteran.

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;

3. The Veteran shall have died in Oklahoma;

4. The Veteran shall have been homeless and indigent at the time of death;

5. The Veteran's estate did not possess money or other assets to pay for or defray funeral expenses;

6. There is no other person obligated by law to pay for funeral expenses of the deceased;

7. The Executive Director of the Department of Veterans Affairs or his or her designee shall make final approval of Indigent Veteran Burial Applications;

8. The approving authority shall determine whether the deceased meets eligibility criteria and approves funds to defray burial costs. Reimbursement is limited to Five Hundred Dollars (\$500.00) per application;

9. Reimbursement will be paid from the Indigent Veteran Burial Revolving Fund. If there are insufficient resources in the Indigent Veteran Burial Revolving Fund, payment will be made from the Oklahoma Department of Veterans Affairs Revolving Fund; and

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

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

SECTION 2. This act shall become effective January 1, 2017.

Passed the Senate the 20th day of May, 2016.

Nathan Dahms

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of May, 2016.

Lee R. Doney, Jr.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 25th

day of May, 20 16, at 2:35 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 10th

day of June, 20 16, at 1:50 o'clock P M.

Mary Fallin

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 10th

day of June, 20 16, at 5:19 o'clock P. M.

By: Ed Wall