

HCS SCS SB 186 -- CERTIFICATES OF DEATH, UNCLAIMED CREMATED VETERANS' REMAINS, AND ABANDONED MILITARY MEDALS

This bill changes the laws regarding certificates of death, disposal of unclaimed veterans' remains, and abandoned military medals. In its main provisions, the bill:

(1) Allows a funeral director to enter the required personal data into the electronic death registration system and complete the filing by presenting the signed cause of death certification to the local registrar if the person or entity that certifies the cause of death is not part of or does not use the electronic system;

(2) Allows a licensed funeral establishment in possession of cremated remains to release the remains to a veterans' service organization under specified procedures;

(3) Defines "veteran" as a person honorably discharged from the Armed Forces of the United States including, but not limited to, the Philippine Commonwealth Army, the Regular Scouts, and the Special Philippine Scouts or a person who died while on active military service with any branch of the Armed Forces of the United States;

(4) Revises the definition of "veterans' service organization" as a veterans organization that is federally chartered by the United States Congress, recognized by the United States Department of Veterans Affairs, or that qualifies as a Section 501(c)(3) or 501(c)(19) nonprofit tax exempt organization under the Internal Revenue Code that is organized for the verification and burial of veterans and dependents;

(5) Repeals the provisions specifying that a funeral establishment is not liable for simple negligence in the disposition of the cremated remains of a veteran to a veterans' service organization for the purposes of interment under specified situations and specifies that a funeral establishment or a coroner in the possession of the cremated remains is authorized to release the identifying information to the department or a veterans' service organization for the purpose of obtaining verification of the veteran's or veteran's dependent's eligibility for a military burial, interment, or scattering. A funeral establishment or coroner who releases the identifying information cannot be liable in any action regarding the release of the identifying information, and the establishment, coroner, or veterans' service organization cannot be liable in any action stemming from the final disposition, interment, burial, or scattering of remains so long as the funeral establishment follows specified notification procedures; and

(6) Authorizes the State Treasurer to make any information, other than Social Security numbers, contained in the holder report and record and any photograph or other visual depiction of an abandoned military medal to the public in order to facilitate the identification of the original owner or the owner's heirs or beneficiaries. The treasurer may designate a veterans' organization to assist in the identification except that a person or entity cannot be designated as custodian of military medals and any agreement to pay compensation to recover or assist in the recovery of the medals is unenforceable.