

CHAPTER 29**(HB 227)**

AN ACT relating to the burial of indigent veterans.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. The Commonwealth of Kentucky recognizes the need to provide honorable burials for Kentuckians who have served their state and nation in the Armed Forces. The Commonwealth of Kentucky also recognizes that the brave military veterans of the Armed Forces of the United States should not face pauper burials due to financial hardships. However, many indigent veterans do not have the means to defray the cost of funeral expenses at the end of their life. To correct this situation, and recognizing the immediate need, the Department of Veterans' Affairs shall oversee an Indigent Veterans' Burial Program.

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 40 IS CREATED TO READ AS FOLLOWS:

- (1) *There is hereby established an "Indigent Veterans' Burial Program" and there is hereby created in the State Treasury a fund entitled the "Indigent Veterans' Burial Trust Fund" to provide funds to defray the costs of funeral expenses for indigent veterans in the Commonwealth of Kentucky. The fund may receive state appropriations, gifts, grants, federal funds, and any other funds both public and private. Moneys deposited in the fund shall be disbursed by the State Treasurer upon the warrant of the commissioner of the Department of Veterans' Affairs or his or her representative. Any unallocated or unencumbered balances in the fund shall be invested as provided in KRS 42.500(9), and any income earned from the investments along with the unallotted or unencumbered balances in the fund shall not lapse and shall be deemed a trust and agency account and made available solely for the purposes and benefits of the Indigent Veterans' Burial Program.*
- (2) *The fund shall be used to defray the costs of funeral expenses for indigent veterans by allocating the funds to pay for the burial or cremation and burial honors of an indigent veteran of the Commonwealth of Kentucky or by allocating the funds to reimburse a veterans' service organization that paid for the cost of the burial or cremation and burial honors of an indigent veteran of the Commonwealth of Kentucky.*
- (3) *The Department of Veterans' Affairs shall oversee the Indigent Veterans' Burial Program and trust fund.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 40 IS CREATED TO READ AS FOLLOWS:

- (1) *The Department of Veterans' Affairs shall promulgate administrative regulations to implement the Indigent Veterans' Burial Program. These regulations shall be in accordance with the provisions of KRS Chapter 13A.*
- (2) *The Department of Veterans' Affairs shall coordinate with the Department of Military Affairs and the veterans' service organizations to determine the eligibility of an indigent veteran in the Commonwealth of Kentucky for the Indigent Veterans' Burial Program under administrative regulations to be promulgated by the Department of Veterans' Affairs.*
- (3) *The Department of Veterans' Affairs shall coordinate the Indigent Veterans' Burial Program with the Department of Military Affairs, the veterans' service organizations, the Kentucky Association of Cemeteries, and the Kentucky Funeral Directors' Association.*

Signed by Governor April 9, 2008.