

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT  
LEGISLATIVE RESEARCH COMMISSION  
2024 REGULAR SESSION**

**MEASURE**

2024 BR NUMBER 1216

HOUSE BILL NUMBER 86

**TITLE** AN ACT relating to interment in state veterans' cemeteries.

**SPONSOR** Representative Bill Wesley

**FISCAL SUMMARY**

STATE FISCAL IMPACT:  YES  NO  UNCERTAIN

OTHER FISCAL STATEMENT(S) THAT MAY APPLY:  ACTUARIAL ANALYSIS  
 LOCAL MANDATE  CORRECTIONS IMPACT  HEALTH BENEFIT MANDATE

APPROPRIATION UNIT(S) IMPACTED: Department of Veterans Affairs

FUND(S) IMPACTED:  GENERAL  ROAD  FEDERAL  RESTRICTED \_\_\_\_\_

FISCAL ESTIMATES	2023-2024	2024-2025	2025-2026	ANNUAL IMPACT AT FULL IMPLEMENTATION
<b>REVENUES</b>				
<b>EXPENDITURES</b>		\$320,000	\$320,000	
<b>NET EFFECT</b>		(\$320,000)	(\$320,000)	

( ) indicates a decrease/negative

**PURPOSE OF MEASURE:** The purpose of HB 86 is to expand the eligibility for interment at any of the Kentucky state veterans’ cemeteries to include members of the reserve component of the Armed Forces, the Army National Guard, or the Air National Guard not qualified for interment under 38 U.S.C. sec. 2402, and specified immediate family members. The measure also directs the Kentucky Department of Veterans Affairs (KDVA) to provide interment services to the included individuals.

**FISCAL EXPLANATION:** In 2022, the “Burial Equity for Guards and Reserves Act of 2021” was signed into law, amending Title 38 U.S. Code § 2402, NCA Directive 3210. The bill prohibits the federal Veterans Affairs (VA) from establishing a condition for a cemetery grant that restricts the ability of a state to inter certain reservists (or their spouses and children) at a state-owned Veterans’ cemetery solely based on whether that individual is ineligible for burial at an open National Cemetery. However, the VA will not issue funding for those individuals to receive burial benefits, such as a VA provided headstone or niche cover, military honors, or funding for perpetual care, or staff labor costs.

The measure requires KDVA to provide interment services. The agency estimates two hundred National Guard/ Reserve Component interments per year at \$1,600 per person, resulting in an estimated annual cost of \$320,000 per year.

**DATA SOURCE(S): LRC Budget Staff; Kentucky Department of Veterans Affairs**  
**PREPARER: Emma Mills NOTE NUMBER: 22 REVIEW: JB DATE: 1/24/2024**