

CHAPTER 238

AN ACT concerning the burial of indigent veterans, amending R.S.38:17-1, R.S.38:17-3 and R.S.38:17-4, and supplementing chapter 17 of Title 38 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.38:17-1 is amended to read as follows:

Interment of indigent veterans.

38:17-1. The board of chosen freeholders in each of the counties shall designate a proper authority, other than that designated by law for the care of paupers and the custody of criminals, who shall cause to be interred the bodies of all honorably discharged veterans of the United States Armed Forces, including the bodies of all honorably discharged members of the American Merchant Marine who served during World War II and have been declared by the United States Department of Defense to be eligible for federal veterans' benefits, who die without leaving means sufficient to defray funeral expenses. The expense of such funeral shall not exceed in any case the sum of \$1,250 for burial or cremation.

C.38:17-2.1 Identification of indigent deceased person; determination of veteran status.

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of Military and Veterans' Affairs upon receipt of an unclaimed indigent deceased person to ascertain whether or not that person was a veteran. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

3. R.S.38:17-3 is amended to read as follows:

Restriction as to interment; headstone.

38:17-3. Any interment provided for by sections 38:17-1 to 38:17-8 of this title shall not be made in any cemetery or plot used exclusively for the burial of pauper dead, but may be made in a county veterans' cemetery or, if appropriate, the Brigadier General William C. Doyle Veterans' Memorial Cemetery. The graves of any such deceased veterans may be marked by a headstone containing the name of the deceased and, if possible, the organization to which he belonged or in which he served. Such headstone shall be of such design and materials as shall be approved by the governor, adjutant general and quartermaster general.

4. R.S.38:17-4 is amended to read as follows:

Liability for expenses of burial, cremation; exemptions.

38:17-4. The expense of the burial or cremation and headstone shall be borne and paid by the county in which the deceased shall be resident at the time of death, up to a cost of \$250. The State shall provide additional funds for such expenses, if necessary, through an annual appropriation and subject to the availability of funds. The total cost shall not exceed \$1,250 for burial or cremation.

If in any county there is located a home or other institution for the use, care, shelter and

maintenance of such veterans not supported by the county, such county shall not be liable for the burial or cremation expenses and headstones of the deceased, unless the deceased was a bona fide resident of such county at the time of his admission to such home or institution, but the county in which he was resident at the time of his admission to such home or institution shall defray, bear and pay the cost of such burial or cremation and headstones.

5. This act shall take effect immediately.

Approved January 17, 2014.