

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 398

By: Simpson, Shortey and  
Pittman of the Senate

6 and

7 Roberts (Dustin) and Hoskin  
8 of the House

9  
10 CONFERENCE COMMITTEE SUBSTITUTE

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

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 34 of Title 72, unless there is  
19 created a duplication in numbering, reads as follows:

20 The Oklahoma Department of Veterans Affairs shall establish a  
21 program to provide assistance for the proper interment or cremation  
22 of honorably discharged indigent veterans of the United States Armed  
23 Forces. The program shall aid in obtaining any available burial  
24 benefits from the United States Department of Veterans Affairs or

1 through private organizations. The program shall provide for a  
2 burial grant for any indigent veteran or any person who qualifies  
3 for financial assistance as determined by the Oklahoma Department of  
4 Veterans Affairs. Maximum reimbursement shall not exceed Five  
5 Hundred Dollars (\$500.00) per indigent veteran.

6 Eligibility and approval requirements for the program shall be  
7 as follows:

8 1. The indigent veteran has been determined to be homeless as  
9 defined as follows: a homeless veteran is an individual without  
10 permanent housing who may live on the streets, stay in a shelter,  
11 mission, abandoned building or in any other unstable or non-  
12 permanent situation, and who is eligible under 38 Code of Federal  
13 Regulation 38.620;

14 2. The deceased shall be a veteran as defined by 38 U.S.C.  
15 101(2) and verified by discharge records. An Oklahoma resident who  
16 served in the National Guard or Reserve Component whose only service  
17 is active duty training or inactive duty for training but meets all  
18 other 38 Code of Federal Regulations 38.620 statutes is eligible for  
19 the Indigent Veteran Burial Revolving Fund;

20 3. The Veteran shall have died in Oklahoma;

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

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

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

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

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

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

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

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

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

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