

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB439

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Tata

3. Committee: Passed Both Houses

4. Title: Veterans; disposition of cremains.

5. Summary: This bill provides that prior to the disposal of any unclaimed cremated remains (cremains), a funeral director must submit the name and any other identifying information for such cremains to the Department of Veterans Services for the purposes of determining whether the unclaimed cremains are those of a veteran. Under the bill, the names and any personal identifying information submitted by a funeral director to the Department of Veterans Services are exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item #8.

7b. Revenue Impact:

| <i>Fiscal Year</i> | <i>Dollars</i> | <i>Fund</i> |
|--------------------|----------------|-------------|
| 2012 | - | - |
| 2013 | \$7,500 | NGF |
| 2014 | \$7,500 | NGF |
| 2015 | \$7,500 | NGF |
| 2016 | \$7,500 | NGF |
| 2017 | \$7,500 | NGF |
| 2018 | \$7,500 | NGF |

8. Fiscal Implications: The cremated remains of veterans sometimes go unclaimed by family from funeral homes. When this happens, the cremains may sit on shelves in funeral homes for years or even decades. This bill would require funeral homes to turn over the names of all unclaimed cremains to the Department of Veterans Services (DVS), which would screen the names through the U.S. Department of Veterans Affairs (USDVA) database, and then notify the funeral homes as to which sets of cremains belong to veterans eligible for burial in a state veterans cemetery.

It may take up to two years to screen all existing cremains, since USDVA procedures limit the number of names that can be screened in a given week. The substitute bill takes this backlog into consideration and sets July 1, 2014 as the date when a 30 day turnaround is established for notifying funeral directors of veteran status.

DVS is able to determine the veteran status of cremains within existing resources. For those ultimately interred at state veterans cemeteries, the current USDVA reimbursement rate to DVS for these burials is \$300 per burial. It is anticipated that up to 25 sets of unclaimed cremated remains may be identified and buried each year, providing new resources of \$7,500 annually.

9. Specific Agency or Political Subdivisions Affected: Department of Veterans Services.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to SB433S1.

Date: 2/16/12

Document: Janet Vogelgesang G:\12-14\FIS\HB439ER.doc

c: Secretary of Veterans Affairs and Homeland Security