

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 366

An Act to amend and reenact § 2.2-2001 of the Code of Virginia, relating to burial fees for military spouses.

[H 2362]

Approved March 23, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2001 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2001. Administrative responsibilities of the Department; annual report.

A. The Department shall be responsible to the Secretary of Veterans and Defense Affairs on behalf of the Governor for the establishment, operation, administration, and maintenance of offices and programs related to services for Virginia-domiciled veterans of the Armed Forces of the United States and their eligible spouses, orphans, and dependents. Such services shall include, but not be limited to, benefits claims processing and all medical care centers and cemeteries for veterans owned and operated by the Commonwealth.

Subject to the availability of sufficient nongeneral fund revenues, including, but not limited to, private donations and federal funds, the Department shall work in concert with applicable state and federal agencies to develop and deploy an automated system for the electronic preparation of veterans' disability claims that ensures the collection of the necessary information to expedite processing of Virginia veterans' disability claims. The Department's development and deployment work shall be appropriately phased to minimize risk and shall include an initial replacement of the Department's existing case management technology, which replacement is required to support highly sophisticated electronic claims preparation. The Commissioner shall ensure that the system is efficient and statutorily compliant.

B. 1. From such funds as may be appropriated or otherwise received for such purpose, the Department shall provide burial vaults at cost to eligible veterans and their family members interred at state-operated veterans cemeteries.

2. *From such funds as may be appropriated or otherwise received for such purpose, the Commonwealth shall pay any burial fee charged for the burial of (i) a member of the National Guard and Reserve or (ii) a deceased spouse of a member or veteran of the United States Armed Forces or of the National Guard and Reserve, regardless of whether such spouse's death precedes or succeeds the death of the member or veteran, at a state-operated veterans cemetery. The Department shall develop guidelines concerning the administration of this subsection.*

C. The Department shall establish guidelines for the determination of eligibility for Virginia-domiciled veterans and their spouses, orphans, and dependents for participation in programs and benefits administered by the Department. Such guidelines shall meet the intent of the federal statutes and regulations pertaining to the administration of federal programs supporting U.S. Armed Forces veterans and their spouses, orphans, and dependents.

D. The Department shall adopt reasonable regulations to implement a program to certify, upon request of the small business owner, that he holds a "service disabled veteran" status.

E. The Department shall submit an annual report through the Secretary of Veterans and Defense Affairs to the Governor and the General Assembly on or before December 1 of each year and other reports to the Secretary as required by the Secretary. The annual report to the Governor and the General Assembly shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.