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ASSEMBLY BILL NO. 306—ASSEMBLYMEN ANDONOV, SHERER, HARDY, CHOWNING, GEDDES, ANDERSON, ANGLE, ARBERRY, ATKINSON, BEERS, BROWN, BUCKLEY, CARPENTER, CHRISTENSEN, CLABORN, COLLINS, CONKLIN, GIBBONS, GIUNCHIGLIANI, GOICOECHEA, GOLDWATER, GRADY, GRIFFIN, GUSTAVSON, HETTRICK, HORNE, KNECHT, KOIVISTO, LESLIE, MABEY, MANENDO, MARVEL, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, OHRENSCHALL, PARKS, PERKINS, PIERCE, WEBER AND WILLIAMS

MARCH 13, 2003

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JOINT SPONSORS: SENATORS RAGGIO, AMODEI, TOWNSEND, CARE, WIENER, CARLTON, CEGAVSKE, COFFIN, HARDY, MATHEWS, MCGINNESS, NOLAN, O'CONNELL, RAWSON, RHOADS, SCHNEIDER, SHAFFER, TIFFANY, TITUS AND WASHINGTON

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Referred to Committee on Government Affairs

SUMMARY—Authorizes military funeral under certain circumstances for deceased veterans whose bodies are not claimed by relatives. (BDR 37-767)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to veterans; authorizing certain veterans' organizations to take possession of the unclaimed bodies of deceased veterans and provide for a military funeral; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



1       **Section 1.** NRS 417.210 is hereby amended to read as follows:  
2       417.210 1. A veteran who is eligible for interment in a  
3 national cemetery pursuant to the provisions of 38 U.S.C. § 2402 is  
4 eligible for interment in a veterans' cemetery in this state.

5       2. An eligible veteran, or a member of his immediate family, *or*  
6 *a veterans' organization recognized by the Executive Director* may  
7 apply for a plot in a cemetery for veterans in this state by submitting  
8 a request to the cemetery superintendent on a form to be supplied by  
9 the cemetery superintendent. The cemetery superintendent shall  
10 assign available plots in the order in which applications are  
11 received. A specific plot may not be reserved before it is needed for  
12 burial. No charge may be made for a plot or for the interment of a  
13 veteran.

14       3. One plot is allowed for the interment of each eligible veteran  
15 and for each member of his immediate family, except where the  
16 conditions of the soil or the number of the decedents of the family  
17 requires more than one plot.

18       4. The Executive Director shall charge a fee for the interment  
19 of a family member, but the fee may not exceed the actual cost of  
20 interment.

21       5. As used in this section, "immediate family" means the  
22 spouse, minor child or, when the Executive Director deems  
23 appropriate, the unmarried adult child of an eligible veteran.

24       **Sec. 2.** NRS 451.400 is hereby amended to read as follows:

25       451.400 1. **All** public officers, agents or employees of every  
26 county, city or town, every person in charge of any prison, morgue,  
27 hospital, funeral parlor or mortuary, and all other persons coming  
28 into possession, charge or control of any dead human body which is  
29 unclaimed or which is required to be buried at public expense are  
30 hereby required to notify the Committee immediately, or such  
31 person as may from time to time be designated by the Committee.

32       2. ~~Every~~ *Except as otherwise provided in NRS 451.420,*  
33 *every* such person shall, upon the request of the Committee and  
34 without fee, deliver such *a* dead body to the Committee, or to such  
35 agent, institution or person as the Committee shall designate.

36       **Sec. 3.** NRS 451.420 is hereby amended to read as follows:

37       451.420 1. Notice of death ~~shall~~ *must* be given to the  
38 Committee in all cases of unclaimed indigent persons. ~~No body~~  
39 ~~shall be delivered to the Committee if~~

40       2. *If* any relative, by blood or marriage, claims the body for  
41 burial at the expense of ~~such~~ *the* relative, ~~but the body shall~~ *the*  
42 *body must not be delivered to the Committee, but must* be  
43 surrendered to the claimant for interment.

44       3. No such body ~~shall~~ *may* be delivered to the Committee if  
45 any friend of the deceased, any representative of a fraternal society



1 of which the deceased was a member, *any representative of a*  
2 *veterans' organization recognized by the Executive Director for*  
3 *Veterans' Services*, or any representative of any charitable or  
4 religious organization claims the body for burial at its expense. ~~No~~  
5 ~~body shall be delivered to the Committee if~~

6 **4.** *If* the deceased person was an honorably discharged member  
7 of the Armed Forces of the United States or the State ~~but the body~~  
8 ~~shall~~, *the body must not be delivered to the Committee, but must*  
9 be buried in accordance with the provisions of the existing laws. *If a*  
10 *veterans' organization claims the body of a deceased veteran*  
11 *pursuant to subsection 3, the veterans' organization must provide*  
12 *a military funeral.*

13 **Sec. 4.** NRS 451.430 is hereby amended to read as follows:  
14 451.430 Any dead human body which has been delivered to  
15 the Committee may be claimed by any friend of the deceased, any  
16 representative of a fraternal society of which the deceased was a  
17 member, *a veterans' organization recognized by the Executive*  
18 *Director for Veterans' Services*, or any representative of any  
19 charitable or religious organization. Upon receipt of such *a* claim,  
20 the body ~~shall~~ *must* be surrendered to the claimant by the  
21 Committee after the payment to the Committee of the expenses  
22 incurred in obtaining and handling ~~such~~ *the* body. *If a veterans'*  
23 *organization claims the body of a deceased veteran pursuant to*  
24 *this section, the veterans' service organization must provide a*  
25 *military funeral.*

26 **Sec. 5.** This act becomes effective on July 1, 2003.

