



House of Representatives

General Assembly

File No. 239

January Session, 2021

Substitute House Bill No. 6480

House of Representatives, April 1, 2021

The Committee on Veterans' Affairs reported through REP. BOYD of the 50th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE FUNERAL EXPENSES OF CERTAIN VETERANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-118 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) When any veteran dies, not having sufficient estate to pay the
4 necessary expenses of the veteran's last sickness and ~~[burial]~~ funeral
5 expenses, as determined by the commissioner after consultation with
6 the probate court for the district in which the veteran resided, the state
7 shall pay the sum of one thousand eight hundred dollars toward such
8 funeral expenses. ~~[, and the burial]~~

9 (b) Burial shall be in some cemetery or plot not used exclusively for
10 the burial of the pauper dead. ~~[, and the same amount shall be paid if~~
11 ~~the body is cremated, but no]~~

12 (c) No amount shall be paid for ~~[the]~~ funeral expenses ~~[for burial or~~

13 cremation] unless claim therefor is made within one year from the date
14 of death, except that in cases of death occurring abroad, such claim may
15 be made within one year after the remains of such veteran have been
16 interred in this country. No provision of this section shall prevent the
17 payment of the sum [above named for the burial of any person,
18 otherwise entitled to the same,] under subsection (a) of this section for
19 funeral expenses on account of [such] the burial of such veteran being
20 made outside the limits of this state.

21 (d) Upon satisfactory proof by the person who has paid or provided
22 for the funeral [or burial expense] expenses to the commissioner of the
23 identity of the deceased, the time and place of the deceased's death and
24 burial and the approval thereof by the commissioner, [said] the sum [of
25 one thousand eight hundred dollars] under subsection (a) of this section
26 shall be paid by the Comptroller to the person who has paid the funeral
27 [or burial expense or, upon assignment by such person, to the funeral
28 director who has provided the funeral] expenses.

29 (e) Whenever the Comptroller has lawfully paid any sum toward the
30 funeral expenses of [the burial of] any deceased veteran and it
31 afterwards appears that the deceased left any estate, the Comptroller
32 may present a claim on behalf of the state against the estate of such
33 deceased veteran for the sum so paid, and the claim shall be a preferred
34 claim against such estate and shall be paid to the Treasurer of the state.
35 The commissioner, upon the advice of the Attorney General, may make
36 application for administration upon the estate of any such deceased
37 veteran if no other person authorized by law makes such application
38 within sixty days after such payment has been made by the Comptroller.

39 (f) As used in this section, (1) "veteran" means any person [(1)] (A)
40 honorably discharged from, or released under honorable conditions
41 from active service in, the armed forces, as defined in section 27-103, or
42 [(2)] (B) with a qualifying condition, as defined in said section, who has
43 received a discharge other than bad conduct or dishonorable from active
44 service in the armed forces; and (2) "funeral expenses" means (A) the
45 cash advances paid by the funeral director and the cost of funeral

46 services and funeral merchandise, (B) the cost of burial, cremation or
 47 disposition, and (C) the cost of publication of an obituary. "Funeral
 48 merchandise" includes, but is not limited to, alternative containers,
 49 caskets, urns, vaults and outer burial containers.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	27-118

Statement of Legislative Commissioners:

In Subsec. (f)(2)(A), "cost of funeral services, funeral merchandise and cash advances paid by the funeral director" was changed to "cash advances paid by the funeral director and the cost of funeral services and funeral merchandise" for clarity.

VA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact to the Department of Veteran's Affairs as it clarifies eligible funeral expenses for certain veterans who receive a sum paid by the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6480*****AN ACT CONCERNING THE FUNERAL EXPENSES OF CERTAIN VETERANS.*****SUMMARY**

This bill defines the funeral expenses eligible for the state burial benefit for indigent veterans.

By law, when a veteran dies and does not leave enough money to pay burial expenses, as determined by the veterans commissioner after consulting with the appropriate probate court, the state must pay \$1,800 toward his or her funeral expenses for burial or cremation. Under the bill, “funeral expenses” mean the cost of (1) cash advances paid by the funeral director, funeral services, and funeral merchandise (e.g., alternate containers, caskets, urns, vaults, and outer burial containers); (2) burial, cremation, or disposition; and (3) publishing an obituary. The bill also makes technical and conforming changes.

By law, a veteran qualifies for this benefit if he or she was (1) discharged or released under honorable conditions from active service in the U.S. Armed Forces or (2) had a qualifying condition (i.e., post-traumatic stress disorder, traumatic brain injury, or military sexual trauma) and received a discharge that was not dishonorable or for bad conduct.

EFFECTIVE DATE: October 1, 2021

BACKGROUND***Related Bill***

HB 5592, favorably reported by the Veterans’ Affairs Committee, expands eligibility for the state burial benefit for indigent veterans (and other veterans programs and benefits) to veterans released with an other

than honorable discharge based on a qualifying mental health condition or their sexual orientation, gender identity, or gender expression, as determined under the bill.

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/18/2021)