



SCI MANAGEMENT L.P.  
Governmental Affairs Department

**TO:** WES CARLISLE

**FROM:** TERRIE NEE

**DATE:** APRIL 11, 2013

**SUBJECT:** ARKANSAS ENACTED LEGISLATION  
HOUSE BILL 1298  
EFFECTIVE JULY 20, 2013

**NOTE:** *The summary below is a synopsis prepared by Governmental Affairs and should not be taken as a legal interpretation of the law. If necessary, the Legal Department will follow up to discuss in more detail.*

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Attached is a copy of the above referenced legislation enacted by the Arkansas legislature.

House Bill 1298 creates a new Subchapter 14, "Missing in America Project Act" and makes the following significant changes regarding unclaimed remains of a veteran:

- Creates several new definitions, including "Next of kin" which explains the order of right to control disposition of the veteran's cremains.
- Outlines the verification process required to confirm that the decedent's remains are those of a veteran.
- Requires that a funeral establishment which accepts the unclaimed cremains of a veteran must place the cremains in a container marked with the proper identification of the decedent and retain the cremains until they are transferred to a veterans service organization or other authorized agent.
- Requires the veterans service organization or authorized entity to certify that the decedent is entitled to specified interment benefits and entitled to a dignified and honorable funeral at a veterans' cemetery.
- Allows for the proper disposal of the cremains after five (5) days from the date of cremation if the cremains are not relinquished to an authorized person.
- Specifies the procedures that a funeral establishment must follow if the establishment is also the authorizing agent that determines final disposition and directs the body of the decedent to be cremated.
- Requires the funeral establishment to maintain a record identifying the veterans service organization or authorized entity receiving the veteran's remains and retain the records for five (5) years from the date of transfer of the remains to the veterans service organization or specified agent.
- Indemnifies a funeral establishment from civil liability for possessing, delivering, cremating, storing, disposing, or handling in any lawful manner the remains of a decedent.
- Requires the veteran's estate to reimburse a funeral establishment or authorized agent for all reasonable expenses incurred in relation to the disposition of the remains. Further, requires the Department of Veterans' Affairs and county veterans' service officers to

provide technical assistance and information to funeral establishments in order to facilitate reimbursement of the authorized expenses for disposition of the veteran's remains.

Please let us know if you would like to discuss in detail.

Thank you.

cc: Jim Edwards  
Bob Rollins  
Jim Kriegshauser  
Chris Marsh  
Joe Hayes  
Arkansas Enacted File