



## 2015 ASSEMBLY BILL 693

January 13, 2016 – Introduced by Representatives SKOWRONSKI, JARCHOW, MURTHA, PETRYK, GANNON, MACCO, HORLACHER, NOVAK, BALLWEG, KREMER, EDMING, R. BROOKS, MURPHY, T. LARSON, E. BROOKS, BRANDTJEN and KNODL, cosponsored by Senators HARS DORF, MARKLEIN, VINEHOUT, OLSEN and RINGHAND. Referred to Committee on Veterans and Military Affairs.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1 AN ACT *to create* 45.61 (2m) of the statutes; **relating to:** disposition of the  
2 unclaimed cremated remains of veterans and their dependents.

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### *Analysis by the Legislative Reference Bureau*

This bill requires a funeral director, cemetery authority, or public officer having custody of unclaimed cremated remains to contact the Department of Veterans Affairs (DVA) or a county veterans service officer (CVSO) within 90 days after cremation to determine whether the cremated remains are of a veteran or other person eligible for burial at a veterans cemetery. If DVA or the CVSO determines that the cremated remains are of a veteran or other such person, the bill authorizes the funeral director, cemetery authority, or public officer to transfer the cremated remains to DVA for burial in a veterans cemetery. The bill also provides an exemption from civil liability for a person who transfers cremated remains to DVA under the bill, unless the transfer involves negligence or reckless, wanton, or intentional misconduct.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 SECTION 1. 45.61 (2m) of the statutes is created to read:

**ASSEMBLY BILL 693****SECTION 1**

1           45.61 **(2m)** UNCLAIMED CREMATED REMAINS OF VETERANS. (a) 1. A funeral director,  
2 cemetery authority, or public officer having custody of unclaimed cremated remains  
3 shall, if the cremated remains are not claimed within 90 days after the date of  
4 cremation, contact the department or a county veterans service officer to determine  
5 whether the cremated remains are of a person described under sub. (2).

6           2. If the department or county veterans service officer determines that the  
7 cremated remains are of a person described under sub. (2), the funeral director,  
8 cemetery authority, or public officer may transfer the cremated remains to the  
9 department for burial under this section.

10           (b) A person who transfers cremated remains to the department under par. (a)  
11 is immune from civil liability for any injury resulting from that act unless the act  
12 constitutes gross negligence or involves reckless, wanton, or intentional misconduct.

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**(END)**