



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 518

Senate Amendments 2 and 3

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2015 SENATE BILL 518

Senate Bill 518 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 person eligible for burial at a veterans cemetery, the bill authorizes the funeral director, cemetery authority, or public officer to transfer the cremated remains to DVA for burial in a veterans cemetery. Under the bill, a person who transfers cremated remains to DVA is exempt from civil liability, unless the transfer involves negligence or reckless, wanton, or intentional misconduct.

SENATE AMENDMENT 2

Under Senate Amendment 2, a funeral directory, cemetery authority, or public officer having custody of unclaimed cremated remains may contact a local veterans service organization in lieu of contacting DVA or a CVSO.

SENATE AMENDMENT 3

Senate Amendment 3 narrows the liability exemption under the bill from “any person” who transfers unclaimed cremated remains to the department to instead exempt “a funeral director, cemetery authority, or public officer who transfers cremated remains to the department and, if different from the funeral director, the owner or operator of the funeral establishment.”

BILL HISTORY

Senator Harsdorf offered Senate Amendment 2 on January 28, 2016 and Senate Amendment 3 on February 1, 2016. On February 17, 2016, the Senate Committee on Transportation and Veterans Affairs voted unanimously to recommend adoption of Senate Amendments 2 and 3 and passage of Senate Bill 518, as amended.

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