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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RH/CL

P.L. 2021, CHAPTER 37, *approved March 15, 2021*

Assembly, No. 2244

1 **AN ACT** concerning claiming and proper disposal of the cremains of  
2 veterans and eligible spouses or dependents and amending  
3 various parts of the statutory law.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. Section 2 of P.L.1983, c.385 (C.26:7-18.2) is amended to  
9 read as follows:

10 2. a. Except as provided by subsection b. of this section, a  
11 person may dispose of the cremains of a dead human body which  
12 have not been claimed by a relative or friend of the deceased within  
13 one year from the date of cremation upon certification, to the  
14 commissioner's satisfaction, that a diligent effort has been made to  
15 identify, locate and notify a relative or friend of the deceased within  
16 that one-year period. A diligent effort shall include a certified  
17 letter, return receipt requested, mailed to the person who authorized  
18 the cremation.

19 As used in this section, "cremains" means that substance which  
20 remains after the cremation of a dead human body.

21 b. A funeral director, licensed pursuant to P.L.1952, c.340  
22 (C.45:7-32 et seq.), shall grant a qualified veterans' organization the  
23 right to receive the cremains of a veteran, or the cremains of an  
24 eligible spouse or eligible dependent of a veteran, which have not  
25 been claimed by a relative or friend of the deceased within one year  
26 after cremation upon certification, to the commissioner's  
27 satisfaction, that a diligent effort, as defined in subsection a. of this  
28 section, has been made to identify, locate and notify a relative or  
29 friend of the deceased within that one-year period.

30 A qualified veterans' organization which takes possession of  
31 cremains pursuant to this section shall dispose of the cremains by  
32 scattering them at sea or by interring them on land in a dignified  
33 manner at the State-operated, Brigadier General William C. Doyle  
34 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
35 cemetery, a national veterans' memorial cemetery, or a local  
36 veterans' memorial cemetery, if the individual is eligible for  
37 interment at **[that facility]** those facilities.

38 As used in this section, "qualified veterans' organization" means  
39 a veterans' organization that qualifies as a section 501(c)(3) or  
40 501(c)(19) tax exempt organization under the Internal Revenue  
41 Code, or a federally chartered Veterans' Service Organization.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. A funeral home or mortuary, or an agent of the funeral home  
2 or mortuary, or a funeral director, or qualified veterans'  
3 organization, shall not be liable for damages in any civil action  
4 arising out of the disposal of cremains pursuant to this section  
5 unless the damages are the result of gross negligence or willful  
6 misconduct.

7 (cf: P.L.2009, c.14, s.1)

8

9 2. R.S.26:8-63 is amended to read as follows:

10 26:8-63. The State registrar shall:

11 a. Furnish a certification or certified copy of a birth, marriage,  
12 civil union, domestic partnership, fetal death or death certificate  
13 without fee in the prosecution of any claim for public pension or for  
14 military or naval enlistment purposes; and

15 b. Furnish the United States Public Health Service without  
16 expense to the State, microfilm or photocopy images of birth,  
17 marriage, civil union, domestic partnership, fetal death and death  
18 certificates without payment of the fees prescribed in this article;  
19 and

20 c. Furnish a certified transcript of any entry in the records of  
21 the New Jersey State census without fee for certification in the  
22 prosecution of any claim for public pension, for military or naval  
23 enlistment purposes; and

24 d. Furnish without fee upon request for administrative use by  
25 any city, State or federal agency a certified transcript of any New  
26 Jersey State census entry, or a certification or certified copy of a  
27 birth, death, fetal death, marriage, civil union or domestic  
28 partnership certificate; and

29 e. Furnish without fee upon request a certified copy of a  
30 veteran's death certificate to the veteran's legal representative, the  
31 executor or administrator of the veteran's estate, **[or]** to a family  
32 member authorized to obtain a copy of the death certificate pursuant  
33 to subsection a. of R.S.26:8-62, or to a qualified veterans'  
34 organization which takes possession of a veteran's cremains with  
35 the intention of properly disposing of them pursuant to section 2 of  
36 P.L.1983, c.385 (C.26:7-18.2). No more than one copy of a  
37 veteran's death certificate may be provided without fee pursuant to  
38 this subsection; all other copies of the death certificate shall be  
39 subject to the statutory fee; and

40 f. Furnish without fee upon request by a person who is  
41 homeless a certified copy of the person's birth certificate, provided  
42 that the person submits the request through a social worker or the  
43 coordinator of the emergency shelter for the homeless where the  
44 person is temporarily residing. The request shall be transmitted on  
45 the emergency shelter's letterhead and shall include the shelter's  
46 employer identification number and an attestation by the  
47 coordinator that the person requesting the certificate is currently  
48 homeless and residing at the shelter or the request shall be

1 submitted on the social worker's agency or professional practice  
2 letterhead and shall include the agency's or the professional  
3 practice's employer identification number and an attestation by the  
4 social worker that the person requesting the certificate is currently  
5 homeless. A certified copy of a birth certificate furnished pursuant  
6 to this subsection shall be transmitted to the social worker or  
7 coordinator who transmitted the request. No more than one  
8 certified copy of a birth certificate furnished to a person who is  
9 homeless pursuant to this subsection shall be provided without fee;  
10 all other copies of the birth certificate shall be subject to the  
11 statutory fee. On or before December 31 of each year, the State  
12 Registrar shall report to the Office of Homelessness Prevention in  
13 the Department of Community Affairs an accounting of each  
14 instance in which the State Registrar furnished without fee a  
15 certified copy of a person's birth certificate pursuant to this  
16 subsection.

17 As used in this section:

18 "Fee" includes, but is not limited to, any search, certification,  
19 processing, authentication, standard shipping, or other fees that  
20 would ordinarily be assessed to furnish a certified copy of a  
21 certificate or transcript; and

22 "Person who is homeless" means a person without a domicile  
23 who is unable to secure permanent and stable housing as determined  
24 by a social worker or the coordinator of an emergency shelter for  
25 the homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
26 seq.).

27 (cf: P.L.2019, c.73, s.5)

28

29 3. Section 2 of P.L.1989, c.135 (C.38A:3-2b1) is amended to  
30 read as follows:

31 2. The Division of Veterans' **Administrative** Services in the  
32 Department of Military and Veterans' Affairs is directed to establish  
33 a program to oversee the transfer of the remains of veterans, or the  
34 remains of eligible spouses or eligible dependents of veterans, from  
35 paupers' or potters' cemeteries to the **Arneytown** Brigadier  
36 General William C. Doyle Veterans' Memorial Cemetery at the  
37 request of the veterans' next-of-kin, friends or fellow veterans. This  
38 service shall be provided without cost to the requester. As part of  
39 this program, the division shall also inform the general public that  
40 this service is available and explain the procedure for requesting  
41 that the remains be transferred to the **Arneytown** Brigadier  
42 General William C. Doyle Veterans' Memorial Cemetery.

43 (cf: P.L.1989, c.135, s.2)

44

45 4. Section 2 of P.L.2009, c.14 (C.38A:3-2b4) is amended to  
46 read as follows:

47 2. a. A funeral director, licensed pursuant to P.L.1952, c.340  
48 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as

1 defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-  
2 18.2), the right to receive the cremains of a veteran, or the cremains  
3 of an eligible spouse or eligible dependent of a veteran, which have  
4 not been claimed by a relative or friend of the deceased within one  
5 year after cremation upon certification, to the satisfaction of the  
6 Commissioner of Health **【and Senior Services】**, that a diligent  
7 effort, as defined in subsection a. of section 2 of P.L.1983, c.385  
8 (C.26:7-18.2), has been made to identify, locate and notify a  
9 relative or friend of the deceased within that one-year period, as  
10 provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

11 A qualified veterans' organization which takes possession of  
12 cremains pursuant to this section shall dispose of the cremains by  
13 scattering them at sea or by interring them on land in a dignified  
14 manner at the State-operated, Brigadier General William C. Doyle  
15 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
16 cemetery, a national veterans' memorial cemetery, or a local  
17 veterans memorial cemetery, if the individual is eligible for  
18 interment at **【that facility】** those facilities.

19 b. A funeral home or mortuary, or an agent of the funeral home  
20 or mortuary, or a funeral director, or qualified veterans'  
21 organization, shall not be liable for damages in any civil action  
22 arising out of the disposal of cremains pursuant to this section  
23 unless the damages are the result of gross negligence or willful  
24 misconduct.

25 (cf: P.L.2009, c.14, s.2)

26

27 5. This act shall take effect immediately.

28

29

30

31

32 \_\_\_\_\_  
33 Revises provisions of State law concerning claiming and proper  
disposal of cremains of veterans and eligible spouses or dependents.

# ASSEMBLY, No. 2244

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman RONALD S. DANCER**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Co-Sponsored by:**

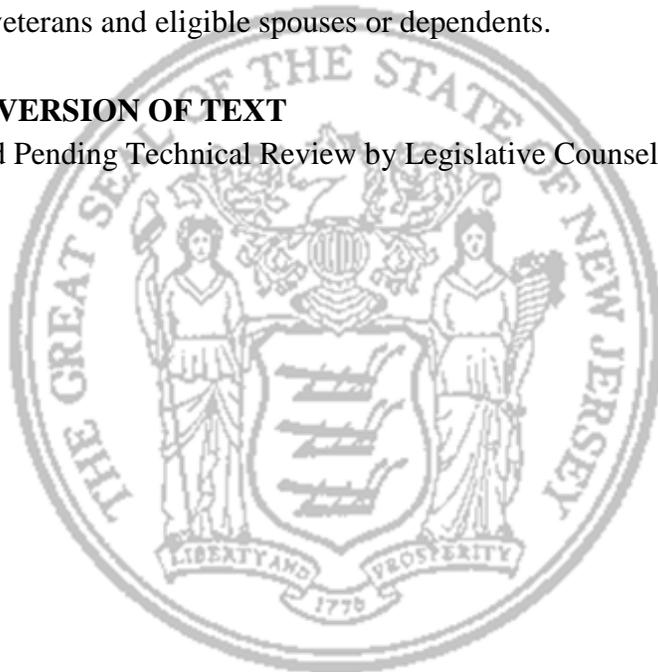
**Assemblymen Peterson, S.Kean, Assemblywoman Schepisi, Assemblymen Rooney, Wirths, Space, Karabinchak, Houghtaling, Johnson, Assemblywomen Gove, Pinkin, Assemblymen Rumpf, Armato and Danielsen**

**SYNOPSIS**

Revises provisions of State law concerning claiming and proper disposal of remains of veterans and eligible spouses or dependents.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/3/2020)**

A2244 DANCER, MURPHY

2

1 AN ACT concerning claiming and proper disposal of the cremains of  
2 veterans and eligible spouses or dependents and amending  
3 various parts of the statutory law.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. Section 2 of P.L.1983, c.385 (C.26:7-18.2) is amended to  
9 read as follows:

10 2. a. Except as provided by subsection b. of this section, a  
11 person may dispose of the cremains of a dead human body which  
12 have not been claimed by a relative or friend of the deceased within  
13 one year from the date of cremation upon certification, to the  
14 commissioner's satisfaction, that a diligent effort has been made to  
15 identify, locate and notify a relative or friend of the deceased within  
16 that one-year period. A diligent effort shall include a certified  
17 letter, return receipt requested, mailed to the person who authorized  
18 the cremation.

19 As used in this section, "cremains" means that substance which  
20 remains after the cremation of a dead human body.

21 b. A funeral director, licensed pursuant to P.L.1952, c.340  
22 (C.45:7-32 et seq.), shall grant a qualified veterans' organization the  
23 right to receive the cremains of a veteran, or the cremains of an  
24 eligible spouse or eligible dependent of a veteran, which have not  
25 been claimed by a relative or friend of the deceased within one year  
26 after cremation upon certification, to the commissioner's  
27 satisfaction, that a diligent effort, as defined in subsection a. of this  
28 section, has been made to identify, locate and notify a relative or  
29 friend of the deceased within that one-year period.

30 A qualified veterans' organization which takes possession of  
31 cremains pursuant to this section shall dispose of the cremains by  
32 scattering them at sea or by interring them on land in a dignified  
33 manner at the State-operated, Brigadier General William C. Doyle  
34 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
35 cemetery, a national veterans' memorial cemetery, or a local  
36 veterans' memorial cemetery, if the individual is eligible for  
37 interment at **[that facility]** those facilities.

38 As used in this section, "qualified veterans' organization" means  
39 a veterans' organization that qualifies as a section 501(c)(3) or  
40 501(c)(19) tax exempt organization under the Internal Revenue  
41 Code, or a federally chartered Veterans' Service Organization.

42 c. A funeral home or mortuary, or an agent of the funeral home  
43 or mortuary, or a funeral director, or qualified veterans'  
44 organization, shall not be liable for damages in any civil action

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 arising out of the disposal of cremains pursuant to this section  
2 unless the damages are the result of gross negligence or willful  
3 misconduct.

4 (cf: P.L.2009, c.14, s.1)

5

6 2. R.S.26:8-63 is amended to read as follows:

7 26:8-63. The State registrar shall:

8 a. Furnish a certification or certified copy of a birth, marriage,  
9 civil union, domestic partnership, fetal death or death certificate  
10 without fee in the prosecution of any claim for public pension or for  
11 military or naval enlistment purposes; and

12 b. Furnish the United States Public Health Service without  
13 expense to the State, microfilm or photocopy images of birth,  
14 marriage, civil union, domestic partnership, fetal death and death  
15 certificates without payment of the fees prescribed in this article;  
16 and

17 c. Furnish a certified transcript of any entry in the records of  
18 the New Jersey State census without fee for certification in the  
19 prosecution of any claim for public pension, for military or naval  
20 enlistment purposes; and

21 d. Furnish without fee upon request for administrative use by  
22 any city, State or federal agency a certified transcript of any New  
23 Jersey State census entry, or a certification or certified copy of a  
24 birth, death, fetal death, marriage, civil union or domestic  
25 partnership certificate; and

26 e. Furnish without fee upon request a certified copy of a  
27 veteran's death certificate to the veteran's legal representative, the  
28 executor or administrator of the veteran's estate, **[or]** to a family  
29 member authorized to obtain a copy of the death certificate pursuant  
30 to subsection a. of R.S.26:8-62, or to a qualified veterans'  
31 organization which takes possession of a veteran's cremains with  
32 the intention of properly disposing of them pursuant to section 2 of  
33 P.L.1983, c.385 (C.26:7-18.2). No more than one copy of a  
34 veteran's death certificate may be provided without fee pursuant to  
35 this subsection; all other copies of the death certificate shall be  
36 subject to the statutory fee; and

37 f. Furnish without fee upon request by a homeless person a  
38 certified copy of the person's birth certificate, provided that the  
39 person submits the request through a social worker or the  
40 coordinator of the emergency shelter for the homeless where the  
41 person is temporarily residing. The request shall be transmitted on  
42 the emergency shelter's letterhead and shall include the shelter's  
43 employer identification number and an attestation by the  
44 coordinator that the person requesting the certificate is currently  
45 homeless and residing at the shelter or the request shall be  
46 submitted on the social worker's agency or professional practice  
47 letterhead and shall include the agency's or the professional  
48 practice's employer identification number and an attestation by the

1 social worker that the person requesting the certificate is currently  
2 homeless. A certified copy of a birth certificate furnished pursuant  
3 to this subsection shall be transmitted to the social worker or  
4 coordinator who transmitted the request. No more than one  
5 certified copy of a birth certificate furnished to a homeless person  
6 pursuant to this subsection shall be provided without fee; all other  
7 copies of the birth certificate shall be subject to the statutory fee.

8 As used in this section:

9 "Fee" includes, but is not limited to, any search, certification,  
10 processing, authentication, standard shipping, or other fees that  
11 would ordinarily be assessed to furnish a certified copy of a  
12 certificate or transcript; and

13 "Homeless person" means a person without a domicile who is  
14 unable to secure permanent and stable housing as determined by a  
15 social worker or the coordinator of an emergency shelter for the  
16 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
17 seq.).

18 (cf: P.L.2016, c.98, s.1)

19

20 3. Section 2 of P.L.1989, c.135 (C.38A:3-2b1) is amended to  
21 read as follows:

22 2. The Division of Veterans' **Administrative** Services in the  
23 Department of Military and Veterans' Affairs is directed to establish  
24 a program to oversee the transfer of the remains of veterans, or the  
25 remains of eligible spouses or eligible dependents of veterans, from  
26 paupers' or potters' cemeteries to the **Arneytown** Brigadier  
27 General William C. Doyle Veterans' Memorial Cemetery at the  
28 request of the veterans' next-of-kin, friends or fellow veterans. This  
29 service shall be provided without cost to the requester. As part of  
30 this program, the division shall also inform the general public that  
31 this service is available and explain the procedure for requesting  
32 that the remains be transferred to the **Arneytown** Brigadier  
33 General William C. Doyle Veterans' Memorial Cemetery.

34 (cf: P.L.1989, c.135, s.2)

35

36 4. Section 2 of P.L.2009, c.14 (C.38A:3-2b4) is amended to  
37 read as follows:

38 2. a. A funeral director, licensed pursuant to P.L.1952, c.340  
39 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as  
40 defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-  
41 18.2), the right to receive the cremains of a veteran, or the cremains  
42 of an eligible spouse or eligible dependent of a veteran, which have  
43 not been claimed by a relative or friend of the deceased within one  
44 year after cremation upon certification, to the satisfaction of the  
45 Commissioner of Health **and Senior Services**, that a diligent  
46 effort, as defined in subsection a. of section 2 of P.L.1983, c.385  
47 (C.26:7-18.2), has been made to identify, locate and notify a

1 relative or friend of the deceased within that one-year period, as  
2 provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

3 A qualified veterans' organization which takes possession of  
4 cremains pursuant to this section shall dispose of the cremains by  
5 scattering them at sea or by interring them on land in a dignified  
6 manner at the State-operated, Brigadier General William C. Doyle  
7 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
8 cemetery, a national veterans' memorial cemetery, or a local  
9 veterans memorial cemetery, if the individual is eligible for  
10 interment at **【that facility】** those facilities.

11 b. A funeral home or mortuary, or an agent of the funeral home  
12 or mortuary, or a funeral director, or qualified veterans'  
13 organization, shall not be liable for damages in any civil action  
14 arising out of the disposal of cremains pursuant to this section  
15 unless the damages are the result of gross negligence or willful  
16 misconduct.

17 (cf: P.L.2009, c.14, s.2)

18

19 5. This act shall take effect immediately.

20

21

22

#### STATEMENT

23

24 This bill revises the provisions of State law concerning the  
25 claiming and proper disposal of the cremains of veterans and their  
26 eligible spouses or eligible dependents. The bill permits a funeral  
27 director to grant a qualified veterans' organization the right to  
28 receive the cremains of the eligible spouse or eligible dependent of  
29 a veteran, which have not been claimed by a relative or friend of the  
30 deceased within one year after cremation. Currently, only the  
31 veteran's cremains may be received by a qualified veteran's  
32 organization.

33 The bill also provides that cremains may be interred at the  
34 Brigadier General William C. Doyle Veterans' Memorial Cemetery,  
35 a State-operated veterans' memorial military cemetery, or a national  
36 veterans' memorial military cemetery, or a local veterans' memorial  
37 cemetery, if the individual is eligible for interment at those  
38 facilities. Currently, cremains can only be interred at the Brigadier  
39 General William C. Doyle Veterans' Memorial Cemetery.

40 The bill directs the Division of Veterans' Services in the  
41 Department of Military and Veterans' Affairs to establish a program  
42 to oversee the transfer of the remains of eligible spouses or eligible  
43 dependents of veterans, from paupers' or potters' cemeteries to the  
44 Brigadier General William C. Doyle Veterans' Memorial Cemetery  
45 at the request of the veterans' next-of-kin, friends or fellow  
46 veterans. Currently, only the veteran's cremains may be  
47 transferred, and only to the Brigadier General William C. Doyle  
48 Veterans' Memorial Cemetery.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2244**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 3, 2020

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 2244. This bill revises the provisions of State law concerning the claiming and proper disposal of the cremains of veterans and their eligible spouses or eligible dependents. The bill permits a funeral director to grant a qualified veterans' organization the right to receive the cremains of the eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation. Currently, only the veteran's cremains may be received by a qualified veteran's organization.

The bill also provides that cremains may be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial military cemetery, or a national veterans' memorial military cemetery, or a local veterans' memorial cemetery, if the individual is eligible for interment at those facilities. Currently, cremains can only be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

The bill directs the Division of Veterans' Services in the Department of Military and Veterans' Affairs to establish a program to oversee the transfer of the remains of eligible spouses or eligible dependents of veterans, from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends or fellow veterans. Currently, only the veteran's cremains may be transferred, and only to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2244**

**STATE OF NEW JERSEY**

DATED: AUGUST 20, 2020

The Senate Military and Veterans Affairs Committee reports favorably Assembly Bill No. 2244.

This bill revises the provisions of State law concerning the claiming and proper disposal of the cremains of veterans and their eligible spouses or eligible dependents. The bill permits a funeral director to grant a qualified veterans' organization the right to receive the cremains of the eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation. Currently, only the veteran's cremains may be received by a qualified veteran's organization.

The bill also provides that cremains may be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial military cemetery, or a national veterans' memorial military cemetery, or a local veterans' memorial cemetery, if the individual is eligible for interment at those facilities. Currently, cremains can only be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

The bill directs the Division of Veterans' Services in the Department of Military and Veterans' Affairs to establish a program to oversee the transfer of the remains of eligible spouses or eligible dependents of veterans, from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends or fellow veterans. Currently, only the veteran's cremains may be transferred, and only to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

# SENATE, No. 1770

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator ROBERT W. SINGER**

**District 30 (Monmouth and Ocean)**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Co-Sponsored by:**

**Senator Brown**

**SYNOPSIS**

Revises provisions of State law concerning claiming and proper disposal of remains of veterans and eligible spouses or dependents.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/25/2020)

S1770 SINGER, CORRADO

2

1 AN ACT concerning claiming and proper disposal of the cremains of  
2 veterans and eligible spouses or dependents and amending  
3 various parts of the statutory law.

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16 that one-year period. A diligent effort shall include a certified  
17 letter, return receipt requested, mailed to the person who authorized  
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19 As used in this section, "cremains" means that substance which  
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33 manner at the State-operated, Brigadier General William C. Doyle  
34 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
35 cemetery, a national veterans' memorial cemetery, or a local  
36 veterans' memorial cemetery, if the individual is eligible for  
37 interment at **【that facility】** those facilities.

38 As used in this section, "qualified veterans' organization" means  
39 a veterans' organization that qualifies as a section 501(c)(3) or  
40 501(c)(19) tax exempt organization under the Internal Revenue  
41 Code, or a federally chartered Veterans' Service Organization.

42 c. A funeral home or mortuary, or an agent of the funeral home  
43 or mortuary, or a funeral director, or qualified veterans'  
44 organization, shall not be liable for damages in any civil action  
45 arising out of the disposal of cremains pursuant to this section

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 unless the damages are the result of gross negligence or willful  
2 misconduct.

3 (cf: P.L.2009, c.14, s.1)

4

5 2. R.S.26:8-63 is amended to read as follows:

6 26:8-63. The State registrar shall:

7 a. Furnish a certification or certified copy of a birth, marriage,  
8 civil union, domestic partnership, fetal death or death certificate  
9 without fee in the prosecution of any claim for public pension or for  
10 military or naval enlistment purposes; and

11 b. Furnish the United States Public Health Service without  
12 expense to the State, microfilm or photocopy images of birth,  
13 marriage, civil union, domestic partnership, fetal death and death  
14 certificates without payment of the fees prescribed in this article;  
15 and

16 c. Furnish a certified transcript of any entry in the records of  
17 the New Jersey State census without fee for certification in the  
18 prosecution of any claim for public pension, for military or naval  
19 enlistment purposes; and

20 d. Furnish without fee upon request for administrative use by  
21 any city, State or federal agency a certified transcript of any New  
22 Jersey State census entry, or a certification or certified copy of a  
23 birth, death, fetal death, marriage, civil union or domestic  
24 partnership certificate; and

25 e. Furnish without fee upon request a certified copy of a  
26 veteran's death certificate to the veteran's legal representative, the  
27 executor or administrator of the veteran's estate, **[or]** to a family  
28 member authorized to obtain a copy of the death certificate pursuant  
29 to subsection a. of R.S.26:8-62, or to a qualified veterans'  
30 organization which takes possession of a veteran's remains with  
31 the intention of properly disposing of them pursuant to section 2 of  
32 P.L.1983, c.385 (C.26:7-18.2). No more than one copy of a  
33 veteran's death certificate may be provided without fee pursuant to  
34 this subsection; all other copies of the death certificate shall be  
35 subject to the statutory fee; and

36 f. Furnish without fee upon request by a person who is  
37 homeless a certified copy of the person's birth certificate, provided  
38 that the person submits the request through a social worker or the  
39 coordinator of the emergency shelter for the homeless where the  
40 person is temporarily residing. The request shall be transmitted on  
41 the emergency shelter's letterhead and shall include the shelter's  
42 employer identification number and an attestation by the  
43 coordinator that the person requesting the certificate is currently  
44 homeless and residing at the shelter or the request shall be  
45 submitted on the social worker's agency or professional practice  
46 letterhead and shall include the agency's or the professional  
47 practice's employer identification number and an attestation by the  
48 social worker that the person requesting the certificate is currently

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1 homeless. A certified copy of a birth certificate furnished pursuant  
2 to this subsection shall be transmitted to the social worker or  
3 coordinator who transmitted the request. No more than one  
4 certified copy of a birth certificate furnished to a person who is  
5 homeless pursuant to this subsection shall be provided without fee;  
6 all other copies of the birth certificate shall be subject to the  
7 statutory fee. On or before December 31 of each year, the State  
8 Registrar shall report to the Office of Homelessness Prevention in  
9 the Department of Community Affairs an accounting of each  
10 instance in which the State Registrar furnished without fee a  
11 certified copy of a person's birth certificate pursuant to this  
12 subsection.

13 As used in this section:

14 "Fee" includes, but is not limited to, any search, certification,  
15 processing, authentication, standard shipping, or other fees that  
16 would ordinarily be assessed to furnish a certified copy of a  
17 certificate or transcript; and

18 "Person who is homeless " means a person without a domicile  
19 who is unable to secure permanent and stable housing as determined  
20 by a social worker or the coordinator of an emergency shelter for  
21 the homeless established pursuant to P.L.1985, c.48 (C.55:13C-  
22 1 et seq.).

23 (cf: P.L.2019, c.73, s.5)

24

25 3. Section 2 of P.L.1989, c.135 (C.38A:3-2b1) is amended to  
26 read as follows:

27 2. The Division of Veterans' **Administrative** Services in the  
28 Department of Military and Veterans' Affairs is directed to establish  
29 a program to oversee the transfer of the remains of veterans, or the  
30 remains of eligible spouses or eligible dependents of veterans, from  
31 paupers' or potters' cemeteries to the **Arneytown** Brigadier  
32 General William C. Doyle Veterans' Memorial Cemetery at the  
33 request of the veterans' next-of-kin, friends or fellow veterans. This  
34 service shall be provided without cost to the requester. As part of  
35 this program, the division shall also inform the general public that  
36 this service is available and explain the procedure for requesting  
37 that the remains be transferred to the **Arneytown** Brigadier  
38 General William C. Doyle Veterans' Memorial Cemetery.

39 (cf: P.L.1989, c.135, s.2)

40

41 4. Section 2 of P.L.2009, c.14 (C.38A:3-2b4) is amended to  
42 read as follows:

43 2. a. A funeral director, licensed pursuant to P.L.1952, c.340  
44 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as  
45 defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-  
46 18.2), the right to receive the cremains of a veteran, or the cremains  
47 of an eligible spouse or eligible dependent of a veteran, which have  
48 not been claimed by a relative or friend of the deceased within one

1 year after cremation upon certification, to the satisfaction of the  
2 Commissioner of Health **and Senior Services**, that a diligent  
3 effort, as defined in subsection a. of section 2 of P.L.1983, c.385  
4 (C.26:7-18.2), has been made to identify, locate and notify a  
5 relative or friend of the deceased within that one-year period, as  
6 provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

7 A qualified veterans' organization which takes possession of  
8 cremains pursuant to this section shall dispose of the cremains by  
9 scattering them at sea or by interring them on land in a dignified  
10 manner at the State-operated, Brigadier General William C. Doyle  
11 Veterans' Memorial Cemetery, a State-operated veterans' memorial  
12 cemetery, a national veterans' memorial cemetery, or a local  
13 veterans memorial cemetery, if the individual is eligible for  
14 interment at **that facility** those facilities.

15 b. A funeral home or mortuary, or an agent of the funeral home  
16 or mortuary, or a funeral director, or qualified veterans'  
17 organization, shall not be liable for damages in any civil action  
18 arising out of the disposal of cremains pursuant to this section  
19 unless the damages are the result of gross negligence or willful  
20 misconduct.

21 (cf: P.L.2009, c.14, s.2)

22

23 5. This act shall take effect immediately.

24

25

26

#### STATEMENT

27

28 This bill revises the provisions of State law concerning the  
29 claiming and proper disposal of the cremains of veterans and their  
30 eligible spouses or eligible dependents. The bill permits a funeral  
31 director to grant a qualified veterans' organization the right to  
32 receive the cremains of the eligible spouse or eligible dependent of  
33 a veteran, which have not been claimed by a relative or friend of the  
34 deceased within one year after cremation. Currently, only the  
35 veteran's cremains may be received by a qualified veteran's  
36 organization.

37 The bill also provides that cremains may be interred at the  
38 Brigadier General William C. Doyle Veterans' Memorial Cemetery,  
39 a State-operated veterans' memorial military cemetery, or a national  
40 veterans' memorial military cemetery, or a local veterans' memorial  
41 cemetery, if the individual is eligible for interment at those  
42 facilities. Currently, cremains can only be interred at the Brigadier  
43 General William C. Doyle Veterans' Memorial Cemetery.

44 The bill directs the Division of Veterans' Services in the  
45 Department of Military and Veterans' Affairs to establish a program  
46 to oversee the transfer of the remains of eligible spouses or eligible  
47 dependents of veterans, from paupers' or potters' cemeteries to the  
48 Brigadier General William C. Doyle Veterans' Memorial Cemetery

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1 at the request of the veterans' next-of-kin, friends or fellow  
2 veterans. Currently, only the veteran's cremains may be  
3 transferred, and only to the Brigadier General William C. Doyle  
4 Veterans' Memorial Cemetery.

SENATE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 1770**

**STATE OF NEW JERSEY**

DATED: AUGUST 20, 2020

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 1770.

This bill revises the provisions of State law concerning the claiming and proper disposal of the cremains of veterans and their eligible spouses or eligible dependents. The bill permits a funeral director to grant a qualified veterans' organization the right to receive the cremains of the eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation. Currently, only the veteran's cremains may be received by a qualified veteran's organization.

The bill also provides that cremains may be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial military cemetery, or a national veterans' memorial military cemetery, or a local veterans' memorial cemetery, if the individual is eligible for interment at those facilities. Currently, cremains can only be interred at the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

The bill directs the Division of Veterans' Services in the Department of Military and Veterans' Affairs to establish a program to oversee the transfer of the remains of eligible spouses or eligible dependents of veterans, from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends or fellow veterans. Currently, only the veteran's cremains may be transferred, and only to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

# Governor Murphy Takes Action on Legislation

03/15/2021

**TRENTON** – Today, Governor Murphy signed the following bills into law.

**A-1063/S-2961 (Jasey, Murphy/Cryan, Singleton)** – Enhances homeowner notification of foreclosure mediation program requirements

**A-2244/S-1770 (Dancer, Murphy, Tucker/Singer, Corrado)** – Revises provisions of State law concerning claiming and proper disposal of cremains of veterans and eligible spouses or dependents