

**ACT 307**

**H.B. NO. 1974**

**A Bill for an Act Relating to Veterans.**

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1.** Section 363-5, Hawaii Revised Statutes, is amended to read as follows:

**“§363-5 Councils’ responsibility; burial of ~~[servicemen,]~~ service members, veterans, and dependents. (a) The councils of the counties of Hawaii, Kauai, and Maui shall each provide for the establishment of the veterans cemetery or cemeteries to be located within their respective counties, which includes grading, filling, leveling, platting, paving of roadways and walks, installation of curbs, building of fences, planting of grass, trees and shrubs, erection of memorial buildings and monuments, and building of other necessary or convenient structures, and shall make provisions for the maintenance and upkeep of ~~[such] the~~ cemetery or cemeteries. The councils shall each provide for the interment of the remains~~;~~ of:**

- (1) ~~[residents or former residents of their respective counties]~~ Service members who died while in the armed forces of the United States~~;~~ and~~];~~
- (2) ~~[of honorably discharged veterans of the armed forces of the United States with either peacetime or wartime service and who are residents of their respective counties at the time of death, or who were former residents, and]~~ Eligible veterans who entered military service after September 7, 1980, as an enlisted person, or after October 16, 1980, as an officer, and served a minimum of twenty-four continuous months or the full period for which the person was called to active duty, as in the case of a reservist;
- (3) ~~[of the widows, widowers, or minor children of such deceased servicemen or veterans, and]~~ Eligible veterans who were discharged under conditions other than dishonorable of the armed forces of the United States with either peacetime or wartime service; and
- (4) ~~[of the]~~ The wife, husband, [or] minor children, or unmarried disabled adult children, who predecease a [serviceman] service member or veteran who would be [himself] entitled to interment [provided that he must subscribe to a statement that he himself will be so interred in the same], in any state veterans cemetery~~;~~ and provided further that as to former residents, the].

The cost of transportation of the remains to the county of interment shall be borne by the family or estate of the deceased.

(b) The determination of eligibility for burial within any state veterans cemetery shall be in accordance with current Veterans Affairs and National Cemeteries Administration Regulations.”

SECTION 2. Section 363-7, Hawaii Revised Statutes, is repealed.

SECTION 3. Statutory material to be repealed is bracketed and stricken.<sup>1</sup> New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; provided that on June 30, 2015, this Act shall be repealed and section 363-5, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day prior to the effective date of this Act.

(Approved July 9, 2012.)

**Note**

1. Edited pursuant to HRS §23G-16.5.