

Senate Bill 460

By: Senators Hill of the 4th, Harbison of the 15th and Polak of the 42nd

**AS PASSED**

**A BILL TO BE ENTITLED**

**AN ACT**

To amend Part 3 of Article 2 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the Georgia Veterans Cemetery, so as to provide that the Department of Veterans Service may establish, operate, and maintain additional Georgia veterans cemeteries in this state; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Part 3 of Article 2 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the Georgia Veterans Cemetery, is amended by striking said part in its entirety and inserting in lieu thereof a new Part 3 to read as follows:

**"Part 3**

**38-4-70.**

(a) The Department of Veterans Service is authorized to establish, operate, and maintain ~~a Georgia Veterans Cemetery~~ Georgia veterans cemeteries in this state; provided, however, that the Georgia veterans cemetery in existence on July 1, 2002, shall be known as the 'Georgia Veterans Memorial Cemetery.'

(b) The Department of Veterans Service has the primary responsibility for verifying eligibility for interment in ~~the Georgia Veterans Cemetery~~ a Georgia veterans cemetery. Eligibility criteria for interment in ~~the Georgia Veterans Cemetery~~ a Georgia veterans cemetery is the same as required for interment in a national cemetery as provided by federal law and rules and regulations applicable thereto; provided, however, that to be eligible for interment a veteran must have been a legal resident of Georgia for two years immediately prior to his or her death.

38-4-71.

(a) ~~The Georgia Veterans Cemetery~~ Each Georgia veterans cemetery shall be under the control and administration of the Department of Veterans Service.

(b) Applications for interment in ~~the Georgia Veterans Cemetery~~ a Georgia veterans cemetery shall be processed in accordance with rules and regulations promulgated by the Department of Veterans Service.

38-4-72.

The Department of Veterans Service is designated as the agency of this state to receive federal aid under Title 38 U.S.C., as amended, and is authorized and directed to receive funds from the United States Department of Veterans Affairs or any other agency of the United States authorized to grant or expend funds to assist a state in establishing, operating, and maintaining a ~~veterans'~~ veterans cemetery. The Department of Veterans Service is authorized to receive gifts, contributions, bequests, and individual reimbursements from any source, the receipt of which shall not exclude any other source of revenue. All funds received by the Department of Veterans Service pursuant to this Code section shall be expended to establish, operate, and maintain a ~~veterans' cemetery~~ veterans cemeteries in this state. The Department of Veterans Service is authorized to employ such personnel as it may deem necessary to carry out its duties and responsibilities under this part."

## SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.