

House Bill 440

By: Representatives Yates of the 73<sup>rd</sup>, Freeman of the 140<sup>th</sup>, Lakly of the 72<sup>nd</sup>, Warren of the 122<sup>nd</sup>, and Thomas of the 100<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 38-4-70 of the Official Code of Georgia Annotated, relating to the  
2 establishment of cemeteries and eligibility for interment, so as to remove the residency  
3 requirement for Georgia veterans eligible for interment in a veterans cemetery; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 38-4-70 of the Official Code of Georgia Annotated, relating to the  
8 establishment of cemeteries and eligibility for interment, is amended by striking in its  
9 entirety subsection (b) and inserting in lieu thereof the following:

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

16 **SECTION 2.**

17 All laws and parts of laws in conflict with this Act are repealed.