

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 973

PRINTER'S NO. 3835

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 9, 2011

PRIME SPONSOR

Representative Kula

HISTORY OF BILL

Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 9, 2011

Reported as amended, May 24, 2011

First consideration, May 24, 2011

Laid on the table, May 24, 2011

Removed from table, June 22, 2011

Second consideration, June 23, 2011

Re-committed to APPROPRIATIONS, June 23, 2011

Re-reported as committed, June 24, 2011

Third consideration and final passage, June 24, 2011 (195-0)

In the Senate

Referred to CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 28, 2011

Reported as amended, May 8, 2012

First consideration, May 8, 2012

Re-referred to APPROPRIATIONS, May 23, 2012

Re-reported as amended, June 26, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 973 amends the Vital Statistics Law of 1953 (P.L.304, No.66) to provide for the final disposition of cremated remains of veterans, adds several definitions, makes several changes pertaining to local registrars, deputies or assistants for registration districts and changes the allowable time for filing certificates of death or fetal death.

Specifically, this legislation does the following:

- Defines the terms "Veteran", "Veterans' service organization", and "National cemetery;"

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- Requires the Secretary of Health to continue to fill vacancies in the office of local registrar which provides death certificates;
- Requires a death certificate to be filed within four business days instead of the current 96 hours after death or finding of a dead body or fetal remains;
- Requires funeral directors or establishments that hold cremains for more than 120 days from the date of cremation to follow certain procedures if it is determined that the decedent is a veteran;
- Requires the release of cremains to a veterans' service organization once it is determined that the cremains are those of a veteran and no next of kin or legally authorized person exists who is in control of the final disposition of the cremains;
- Requires the final disposition to be in a national cemetery, as defined in the legislation;
- Clarifies that "final disposition," as used in this legislation, does not include the scattering of cremated remains;
- Authorizes funeral directors and establishments to share information with certain entities for the purpose of identifying the cremated remains and discharges them from legal obligations and liability for sharing such information;
- Permits a local registrar to issue a copy of a certified copy of the original death certificate for 90 days after issuance of the original death certificate;
- Exempts funeral directors and establishments and veterans' service organizations from being held accountable for any costs or damages, except for gross negligence or willful misconduct and exempts those entities from liability;
- Requires the estate of the cremated person to pay costs, once the estate has been identified; and
- Requires the funeral director to make a good faith effort to find next of kin.

This act shall take effect in 60 days.

FISCAL IMPACT:

The enactment of this legislation will have no adverse fiscal impact on the Department of Health or Commonwealth funds.