

Sixty-fourth
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2238

Introduced by

Senators Marcellais, Schneider

Representative M. Nelson

1 A BILL for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code,
2 relating to providing military caskets or urns for eligible deceased veterans.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 23-06-03 of the North Dakota Century
5 Code is amended and reenacted as follows:

6 3. If the deceased is not survived by an individual described by subsection 1 and did not
7 leave sufficient means to defray funeral expenses, including the cost of a casket, the
8 county social service board of the county in which the deceased had residence for
9 county general assistance purposes or, if residence cannot be established, the county
10 social service board of the county in which the death occurs shall employ some person
11 to arrange for and supervise the burial or cremation. If the deceased was a resident or
12 inmate of a public institution, the county in which the deceased was a resident for
13 county general assistance purposes immediately before entering the institution shall
14 employ a person to arrange for and supervise the burial or cremation. Each board of
15 county commissioners may negotiate with the interested funeral directors or funeral
16 homes regarding cremation expenses and burial expenses but the total charges for
17 burial services, including transportation of the deceased to the place of burial, the
18 grave box or vault, grave space, and grave opening and closing expenses, may not be
19 less than one thousand five hundred dollars. ~~If the deceased was a veteran as defined~~
20 ~~in section 37-01-40, the~~The county social services board ~~shall~~may provide for the use
21 of a military casket or urn, if the deceased was a veteran as defined in section
22 37-01-40, unless the additional cost exceeds the negotiated expenses of this section
23 or a surviving spouse or the nearest of kin of the deceased elects a nonmilitary casket.
24 The county social service board shall pay the charge for funeral expenses as

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- 1 negotiated by the board of county commissioners, less any amount left by the
- 2 deceased to defray the expenses.