**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3274**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Pendarvis

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Cremated remains of veteran, disposal of unclaimed

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Labor, Commerce and Industry**

1/12/2021 House Introduced and read first time ([House Journal‑page 142](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 142](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Caskey

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3274_20201209.docx)

**A** **BILL**

TO AMEND SECTIONS 25‑12‑10, 25‑12‑30, AND 25‑12‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DISPOSAL OF UNCLAIMED CREMATED REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO SHALL APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 17‑5‑590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO THE PROVISIONS OF CHAPTER 12, TITLE 25.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 25‑12‑10 of the 1976 Code is amended to read:

“Section 25‑12‑10. The unclaimed or cremated human remains of a veteran as defined in this chapter ~~may~~ must be disposed of pursuant to the provisions of this chapter.”

SECTION 2. Section 25‑12‑30 of the 1976 Code is amended to read:

“Section 25‑12‑30. A coroner or a manager of a funeral home, funeral establishment, or mortuary, which has held in its possession cremated remains for more than one hundred twenty days from the date of cremation, ~~may~~ shall determine, in accordance with the provisions of this chapter, if the cremated remains are those of a veteran, and if so, ~~may~~ shall dispose of those remains as provided in this chapter. ”

SECTION 3. Section 25‑12‑50(A) of the 1976 Code is amended to read:

“(A) If a coroner or a manager of a funeral home, funeral establishment, or mortuary ascertains the cremated remains in its possession are those of a veteran, and they have not been instructed by the person in control of the disposition of the decedent’s remains to arrange for the final disposal or delivery of the cremated remains, the coroner or the manager of a funeral home, funeral establishment, or mortuary ~~may~~ shall dispose of the cremated remains in the manner provided in this chapter or relinquish possession of the cremated remains to a veterans’ service organization.”

SECTION 4. Section 17‑5‑590 of the 1976 Code is amended to read:

“Section 17‑5‑590. (A) If the body of a dead person is unidentifiable, the remains may not be cremated for at least thirty days. The coroner or medical examiner must have the remains buried or interred in a cemetery in the county in which the remains were found.

(B) If a coroner has possession of human remains that have been identified and the deceased person has been determined to be an unclaimed veteran, then the coroner must release the remains to a funeral home, funeral establishment, or mortuary for disposition pursuant to the provisions of Chapter 12, Title 25.”

SECTION 5. This act takes effect upon approval by the Governor.

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