
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 408 Session of
2019

INTRODUCED BY STAATS, McNEILL, STURLA, JOZWIAK, SAYLOR, SIMMONS,
BARRAR, CIRESI, SIMS, HILL-EVANS, STRUZZI, WARREN,
CALTAGIRONE, HEFFLEY, BERNSTINE, MURT, KINSEY, FARRY,
DIAMOND, MIHALEK, KORTZ, T. DAVIS, READSHAW, ULLMAN,
DRISCOLL, PASHINSKI, HAHN AND POLINCHOCK, FEBRUARY 6, 2019

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, FEBRUARY 6, 2019

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in Department of Military Affairs,
3 providing for burial benefits.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 51 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 705.1. Burial benefits.

9 (a) Notice of burial benefits.--

10 (1) The following persons shall be required to provide
11 information regarding the availability of veterans' burial
12 benefits to a purchaser of funeral merchandise or a burial
13 lot:

14 (i) A licensed funeral director.

15 (ii) A funeral entity.

16 (iii) A cemetery company.

1 (2) A funeral director, funeral entity or cemetery
2 company shall also notify the county where the veteran
3 resided of the death. The notification shall be made to the
4 county no later than the notice provided under paragraph (1).

5 (b) Required information.--At a minimum, information on the
6 following shall be provided under subsection (a)(1):

7 (1) Burial benefits and allowances, flags to be draped
8 over caskets and headstones and markers, as provided under 38
9 U.S.C. Ch. 23 (relating to burial benefits).

10 (2) Burial in national cemeteries as provided under 38
11 U.S.C. § 112 (relating to Presidential memorial certificate
12 program).

13 (3) Military funeral honors as provided under 10 U.S.C.
14 § 1491 (relating to funeral honors functions at funerals for
15 veterans).

16 (c) Affidavit.--A funeral director, funeral entity and
17 cemetery company shall require the following:

18 (1) A purchaser to sign an affidavit indicating that the
19 information under subsection (a)(1) was supplied prior to the
20 purchase of any funeral merchandise or burial lot.

21 (2) Written acknowledgment of the notification made
22 under subsection (a)(2).

23 (d) Penalty.--A funeral director or officer of a cemetery
24 company who fails to furnish this required information commits a
25 misdemeanor of the third degree.

26 (e) Definitions.--As used in this section, the following
27 words and phrases shall have the meanings given to them in this
28 subsection unless the context clearly indicates otherwise:

29 "Funeral entity." As defined in 49 Pa. Code § 13.1 (relating
30 to definitions).

1 "Licensed funeral director." As defined in 49 Pa. Code §
2 13.1.
3 Section 2. This act shall take effect in 60 days.