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# A BILL FOR AN ACT

RELATING TO VETERANS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 363-5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§363-5 Councils' responsibility; burial of service**  
4 **members, veterans, and dependents[-]; office of veterans'**  
5 **services approval.** (a) The councils of the counties of Hawaii,  
6 Kauai, and Maui shall each provide for the establishment of the  
7 veterans cemetery or cemeteries to be located within their  
8 respective counties, which includes grading, filling, leveling,  
9 platting, paving of roadways and walks, installation of curbs,  
10 building of fences, planting of grass, trees and shrubs,  
11 erection of memorial buildings and monuments, and building of  
12 other necessary or convenient structures, and shall make  
13 provisions for the maintenance and upkeep of the cemetery or  
14 cemeteries. The councils shall each provide for the interment  
15 of the remains, of:

16           (1) Service members who died while in the armed forces of  
17           the United States;



1 (2) Eligible veterans who entered military service after  
2 September 7, 1980, as an enlisted person, or after  
3 October 16, 1980, as an officer, and served a minimum  
4 of twenty-four continuous months or the full period  
5 for which the person was called to active duty, as in  
6 the case of a reservist;

7 (3) Eligible veterans who were discharged under conditions  
8 other than dishonorable of the armed forces of the  
9 United States with either peacetime or wartime  
10 service; and

11 (4) The wife, husband, minor children, or unmarried  
12 disabled adult children, who predecease a service  
13 member or veteran who would be entitled to interment,  
14 in any state veterans cemetery.

15 The cost of transportation of the remains to the county of  
16 interment shall be borne by the family or estate of the  
17 deceased.

18 (b) The determination of eligibility for burial within any  
19 state veterans cemetery shall be in accordance with current  
20 Veterans Affairs and National Cemeteries Administration  
21 Regulations.

22 (c) Prior to any county action that may:



1        (1) Have an adverse financial impact upon the State's  
2        fiscal obligation to establish and maintain veterans  
3        cemeteries; or  
4        (2) Impair or conflict with federal requirements that are  
5        a prescribed condition for the allocation of federal  
6        funds,  
7        the county shall obtain approval of the action from the office  
8        of veterans' services. In the event of any disagreement between  
9        any county and the office of veterans' services over whether  
10       this subsection applies, the decision of the office of veterans  
11       services' shall control."

12       SECTION 2. Statutory material to be repealed is bracketed  
13       and stricken. New statutory material is underscored.

14       SECTION 3. This Act shall take effect on July 1, 2030.



**Report Title:**

Veterans' Services; Cemeteries; Counties; Federal Funding

**Description:**

Requires the counties to obtain approval from the office of veterans' services prior to any action that may impact the State's obligation to establish and maintain veterans cemeteries. Effective July 1, 2030. (HB1564 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

