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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/19/11

SPONSOR Alcon LAST UPDATED \_\_\_\_\_ HB 15

SHORT TITLE Disposition of Remains for Military Personnel SB \_\_\_\_\_

ANALYST Haug

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Veterans Service Department (VSD)

Department of Military Affairs (DMA)

### SUMMARY

#### Synopsis of Bill

House Bill 15, introduced on behalf of the Military and Veterans' Affairs Committee, would amend Section 24-12-1, NMSA 1978 to authorize the person designated on the DD Form 93, Department of Defense Record of Emergency Data, to direct the burial or to provide other funeral and disposition arrangements for the decedent.

### FISCAL IMPLICATIONS

House Bill 15 has no fiscal impact.

### SIGNIFICANT ISSUES

The VSD reports that according to the Department of Defense South Central State Liaison Office, situations have arisen, in which a deceased soldier's wishes as indicated on the DOD form, are challenged by family members under state law. Recognition of the DOD document as authoritative in determining the deceased service member's wishes would remove a source of potential litigation.

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It should be noted that the DD Form 93 authorization only applies “during any period of duty when the secretary of the military service concerned can provide for the recovery, care and disposition of remains” and the decedent has completed the appropriate portion of the DD Form 93.

GH/mew