

By: Representatives Carpenter, Hall

To: Military Affairs

HOUSE BILL NO. 1001

1 AN ACT TO AMEND SECTION 35-1-41, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO PROVIDE INTERMENTS  
3 IN THE VETERANS CEMETERIES UNDER THE FEDERAL BURIAL EQUITY FOR  
4 GUARDS AND RESERVES ACT; TO SPECIFY THE INDIVIDUALS WHO ARE  
5 ELIGIBLE FOR INTERMENT UNDER THIS ACT; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 35-1-41, Mississippi Code of 1972, is  
8 amended as follows:

9 35-1-41. (1) (a) The State Veterans Affairs Board is  
10 authorized to establish, operate and maintain a Mississippi  
11 veterans cemetery in this state, which shall be known as the  
12 "Mississippi Veterans Memorial Cemetery."

13 (b) The State Veterans Affairs Board is authorized to  
14 establish, operate and maintain additional veterans cemeteries in  
15 this state.

16 (2) The State Veterans Affairs Board has the primary  
17 responsibility for verifying eligibility for interment in the  
18 veterans cemeteries. Eligibility criteria for interment in the  
19 cemeteries is the same as required for interment in a national



20 cemetery as provided by federal law and rules and regulations  
21 applicable thereto and in subsection (6) of this section.

22 (3) The cemeteries shall be under the control and  
23 administration of the State Veterans Affairs Board.

24 (4) Applications for interment in the cemeteries shall be  
25 processed in accordance with rules and regulations promulgated by  
26 the State Veterans Affairs Board.

27 (5) The State Veterans Affairs Board is designated as the  
28 agency of this state to receive federal aid under Title 38 USCS,  
29 as amended, and is authorized to receive funds from the United  
30 States Department of Veterans Affairs or any other agency of the  
31 United States authorized to grant or expend funds to assist a  
32 state in establishing, operating and maintaining veterans  
33 cemeteries. The board is authorized to receive gifts,  
34 contributions, bequests and individual reimbursements from any  
35 source, the receipt of which shall not exclude any other source of  
36 revenue. All funds received by the board pursuant to this  
37 subsection shall be deposited into a special fund, hereby created  
38 and known as the "Mississippi Veterans Cemetery Fund," and shall  
39 be expended to establish, operate and maintain veterans cemeteries  
40 in this state. The State Veterans Affairs Board is authorized to  
41 employ such personnel as it may deem necessary to carry out its  
42 duties and responsibilities under this section.

43 (6) The State Veterans Affairs Board may provide interments  
44 in the veterans cemeteries under the federal Burial Equity for



45 Guards and Reserves Act. All costs associated with the interment  
46 shall be paid by the individual(s) submitting an application  
47 unless federal or state aid is specifically provided.

48 Applications for interment in the cemeteries shall be processed in  
49 accordance with rules and regulations promulgated by the board.

50 Individuals who are eligible for internment under this subsection  
51 include:

52 (a) Any member of a reserve component of the Armed  
53 Forces who was discharged or released from service under  
54 conditions other than dishonorable or whose death occurs under  
55 conditions other than dishonorable while a member of the reserve  
56 component;

57 (b) Any member of the Army National Guard or the Air  
58 National Guard who was discharged or released from service under  
59 conditions other than dishonorable while a member of the Army  
60 National Guard or the Air National Guard;

61 (c) Any member of the Reserve Officers' Training Corps  
62 (ROTC) of the Army, Navy or Air Force whose death occurs under  
63 conditions other than dishonorable while a member of the ROTC;

64 (d) Any spouse of any member described above in this  
65 subsection; and

66 (e) Any minor child or unmarried adult child, as  
67 defined in 38 USC Section 2402 (a) (5) of the individuals described  
68 above in this subsection.



69           **SECTION 2.** This act shall take effect and be in force from  
70 and after July 1, 2024.

