



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

## Bill co-sponsored by Addabbo to clarify procedures for the disposition of military veteran remains passes Senate

SENATOR JOSEPH P. ADDABBO, JR. February 15, 2018

| ISSUE: **VETERANS, ADDABBO**

Under legislation (S.945) recently passed by the State Senate and co-sponsored by NYS Senator Joseph P. Addabbo, Jr., the State of New York would begin to recognize the federal DD Form 93 to identify family members who are authorized to receive and make arrangements for the human remains of veterans who die in service.

“Under federal law, active duty military members, as well as activated Guard and Reserve members, must fill out a DD Form 93 to designate people who should be informed in the event of their deaths, receive their remains, and make arrangements for their final resting place,” said Addabbo. “However, New York State law does not now recognize this form as an acceptable document for the disposition of service member remains, which has sometimes led to confusion, heartbreak, and legal action within families. By reconciling state and federal laws on this issue, we may be able to prevent greater hardships for families who are already suffering the loss of a loved one.”

Under current law, New York State recognizes certain written documents that govern the disposition of human remains, including the designation of a person to receive them. In the absence of a written document, the decedent’s surviving spouse, children or others may decide how to dispose of the remains through final arrangements. However, since the DD

Form 93 is not recognized by New York, the disposition instructions provided by the deceased military member on this document do not necessarily need to be followed.

“Losing a cherished family member who dies in service to our nation is already hard enough on grieving spouses, children, parents and other loved ones,” said Addabbo. “This legislation may help to remove a bit of the heartache some families may suffer when disposition instructions cannot easily be determined.”

The bill is now under review by the Assembly Health Committee.

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#### RELATED LEGISLATION

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### **2017-S945**

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- - Passed Assembly
  - Passed Senate

- Delivered to Governor
- Signed By Governor
- 

Relates to the priority of persons with responsibility to determine the disposition of human remains

January 05, 2017

In Assembly Committee

Sponsored by **Thomas D. Croci**

Do you support this bill?