GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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HOUSE BILL 262 Committee Substitute Favorable 4/3/01

Short Title: S	tate Veterans Cemetery Eligibility-AB.	(Public)			
Sponsors:					
Referred to:					
	February 27, 2001				
	A BILL TO BE ENTITLED				
	MODIFY THE ELIGIBILITY REQUIREMENTS FO	R INTERMENT IN			
	VETERANS CEMETERY.				
	ssembly of North Carolina enacts:				
	CTION 1. G.S. 65-43 reads as rewritten:				
"§ 65-43. Defin		1 .1			
	es of this Article, the following definitions shall apply	, unless the context			
requires otherwise:					
(1)	"Honorable military service" means:				
	a. Service on active duty, other than for traini	•			
	the Armed Forces of the United States, wh terminated under honorable conditions;	ien me service was			
	b. Service on active duty as a member of the A	Armed Forces of the			
	United States at the time of death under honor				
	c. Service on active duty for training or ful				
	member of the Reserve component of the				
	Army National Guard, the Air National Gu				
	Officer Training Corps of the Army, Navy,				
	time of death under honorable conditions.	,			
(2)	A "legal resident" of a state means a person whose	A "legal resident" of a state means a person whose principal residence			
	or abode is in that state, who uses that state to es	stablish his right to			
	vote and other rights in a state, and who intends to	live in that state, to			
	the exclusion of maintaining a legal residence in an				
(3)	A "qualified veteran" means a veteran who meets	the requirements of			
	sub-subdivisions a. and b. of this subdivision:				
	a. Who served an honorable military service				
	defined in subdivision (1) of this section or v	_			
	of honorable nonregular service and who	meets any of the			
	<u>following requirements:</u>				

1			<u>1.</u>	Was entitled to retired pay for nonregular service under
2				Chapter 1223 of Title 10 of the U.S. Code.
3			<u>2.</u>	Would have been entitled to retired pay for nonregular
4				service under Chapter 1223 of Title 10 of the U.S. Code
5				but for the fact that the person was under 60 years of age.
6			<u>3.</u>	Was eligible for interment in a national cemetery under
7			_	Title 38, U.S.C. § 2402.
8			b. Who i	s a legal resident of North Carolina:
9			(1) 1.	At the time of death, or
10			(2) 2.	For a period of at least 10 years, or
11			(3) 3.	At the time he entered the Armed Forces of the United
12				States."
13		SECT	TON 2. G.S.	65-43.1(a) reads as rewritten:
14	"(a)	The fo	following persons are eligible for interment at a State veterans cemetery:	
15		(1)	A qualified v	reteran; veteran.
16		(2)	The spouse, v	widow, or widower of a qualified veteran, or a minor child
17			who is unmarried and dependent on the qualified veteran at the time of	
18			his death; anddeath. For purposes of this subdivision, "minor child"	
19			includes a child under 21 years of age or under 23 years of age if	
20			pursuing a co	ourse of instruction at an approved educational institution.
21		(3)	An unmarried	d adult child of a qualified veteran when the child became
22			permanently	incapable of self-support because of a physical or mental
22 23			_	Fore attaining the age of 18 years."
2/1		SECT	•	act is effective when it becomes law