

ORDINANCE NO. 2023-25

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF MORGAN
COUNTY, INDIANA INCREASING THE VETERANS' BURIAL
ALLOWANCE**

WHEREAS, Morgan County, Indiana (the "County") is a municipality organized and existing entity under the provisions of Indiana Code § 36-2-2 *et. seq.*;

WHEREAS, under Indiana Code § 36-2-2-1 the Morgan County Commissioners ("Commissioners") serve together as the Executive of the County (the "Executive"); and

WHEREAS, the Commissioners desire to increase the burial allowance for veterans, their spouses and surviving spouses, as permitted under Indiana Code § 10-17-10 *et. seq.*; and

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Commissioners of the County of Morgan as follows:

Section 1. The foregoing recitals are fully incorporated herein by reference.

Section 2. Veterans, spouses, or surviving spouses of veterans of the armed forces who qualify under Ind. Code § 10-17-10 may submit a claim to the County Commissioners for a burial allowance for not more than Two Hundred Dollars (\$200). This is an increase from the prior burial allowance of One Hundred Dollars (\$100).

Section. 3. If after receiving the claim, the Commissioners determine that the person on whose behalf the claim is submitted qualifies for a burial allowance under Ind. Code § 10-17-10, the Commissioners shall hear and determine the claim like other claims, and if the facts alleged are found to be true, shall allow the claim. Not more than one claim for a burial allowance is allowed.

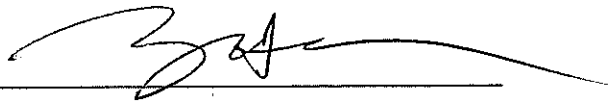
Section 4. All prior Ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section 5. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.


Section 6. This Ordinance shall be in full force and effect from and after its passage and signing by the Commissioners.

PASSED by the Commissioners of County of Morgan, Indiana this 6th day of November 2023, by a vote of 3 ayes and 0 nays.

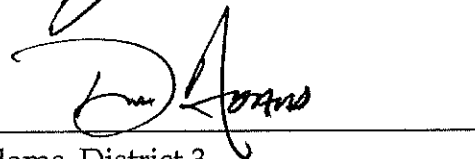
MORGAN COUNTY COMMISSIONERS
MORGAN COUNTY, INDIANA


Bryan Collier, District 1

11/6/23
Date

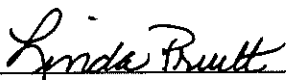

Kenny Hale, District 2

11/6/23
Date


Don Adams, District 3

11/6/23
Date

ATTEST:


Linda Pruitt, Morgan County Auditor

IC 10-17-10**Chapter 10. Veterans' Burial Allowance**

10-17-10-0.2
10-17-10-1
10-17-10-2
10-17-10-3
10-17-10-4

Application of certain amendments to prior law
 Qualification for allowance
 Limit on allowance
 Prohibition of reimbursement claim
 Setting of grave marker

IC 10-17-10-0.2**Application of certain amendments to prior law**

Sec. 0.2. The amendments made to IC 10-5-3-1 (before its repeal, now codified in this chapter) apply to claims for burial expenses filed after June 1, 2011.
As added by P.L. 220-2011, SEC. 240.

IC 10-17-10-1**Qualification for allowance**

Sec. 1. If:

(1) a person:

(A) has served as a member of the armed forces of the United States as a soldier, sailor, or marine in the army, air force, or navy of the United States, is a resident of Indiana, and dies while a member of the armed forces and before discharge from the armed forces; or

(B) is the spouse or surviving spouse of a person described in clause (A) and is a resident of Indiana; and

(2) a claim is filed for a burial allowance:

(A) by an interested person with the board of commissioners of the county of the residence of the deceased person; and

(B) stating the fact:

(i) of the service, death, and discharge if discharged from service before death; and

(ii) that the body has been buried in a decent and respectable manner in a cemetery or burial ground;

the board of commissioners shall hear and determine the claim like other claims and, if the facts averred are found to be true, shall allow the claim in any amount not more than one thousand dollars (\$1,000).

[Pre-2003 Recodification Citation: 10-5-3-1(a).]

As added by P.L. 2-2003, SEC. 8. Amended by P.L. 97-2004, SEC. 43.

IC 10-17-10-2**Limit on allowance**

Sec. 2. (a) Not more than one (1) claim for a burial allowance may be allowed for a decedent who qualifies under this chapter.

(b) The total sum of the claim filed and for which allowances must be made shall be set by ordinance and may not exceed one thousand dollars (\$1,000).

[Pre-2003 Recodification Citation: 10-5-3-1(b) part.]

As added by P.L. 2-2003, SEC. 8. Amended by P.L. 97-2004, SEC. 44.

IC 10-17-10-3**Prohibition of reimbursement claim**

Sec. 3. Money expended by a county under this chapter shall be considered a gift. Persons for and on behalf of the state or a political subdivision of the state shall not claim reimbursement for money so expended.

[Pre-2003 Recodification Citation: 10-5-3-1(b) part.]

As added by P.L. 2-2003, SEC. 8.

IC 10-17-10-4**Setting of grave marker**

Sec. 4. Before a person enters into a contract to set a grave marker provided by the federal government for the grave of a person described in section 3, the person who will set the grave marker must disclose the following information to the person who will set the grave marker:

(1) The price of the least expensive installation procedure that the person who will set the grave marker will charge and a description of the goods and services to be provided;

(2) The prices of any other installation procedures or options that may be performed or provided by the person who will set the grave marker and the cost of such procedures or options.

[Pre-2003 Recodification Citation: 10-5-3-1(c).]

As added by P.L. 2-2003, SEC. 8. Amended by P.L. 97-2004, SEC. 45.