

SECOND REGULAR SESSION

HOUSE BILL NO. 1148

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

Pre-filed December 6, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2986L.011

AN ACT

To amend chapter 214, RSMo, by adding thereto one new section relating to scattering gardens in certain cemeteries.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 214, RSMo, is amended by adding thereto one new section, to be
2 known as section 214.550, to read as follows:

214.550. 1. For purposes of this section, the following terms mean:

2 (1) "Cremains", the ashes that remain after cremation of a human corpse;

3 (2) "Operator", a church that owns and maintains a religious cemetery;

4 (3) "Religious cemetery", a cemetery owned, operated, controlled, or managed by
5 any church that has or would qualify for federal tax exempt status as a nonprofit religious
6 organization pursuant to section 501(c) of the Internal Revenue Code as amended;

7 (4) "Scatter garden", a location for the spreading of cremains set aside within a
8 cemetery.

9 2. It shall be lawful for any operator of a religious cemetery adjacent to a church
10 building or other building regularly used as a place of worship to establish a scatter garden
11 for the purpose of scattering human cremains.

12 3. The operator of any religious cemetery containing a scatter garden shall
13 maintain, protect, and supervise the scatter garden, and shall be responsible for all costs
14 incurred for such maintenance, protection, and supervision. Such operator shall also
15 maintain a record of all cremains scattered in the scatter garden that shall include the
16 name, date of death, and Social Security number of each person whose cremains are
17 scattered, and the date the cremains were scattered.

18 4. A scatter garden established pursuant to this section shall be maintained by the

19 operator of the religious cemetery for as long as such operator is in existence. Upon
20 dissolution of such operator, all records of cremains shall be transferred to the clerk of the
21 city, town, or village in which the scatter garden is located, or if the scatter garden is
22 located in any unincorporated area, to the county recorder.