

HB 1111 -- CEMETERIES

SPONSOR: Veit

This bill modifies provisions of law relating to cemeteries and allows an owner of a cemetery to sell or transfer all of such property belonging to the cemetery to political subdivisions within the state including all funds held by the owner for purposes of the cemetery. The political subdivision receiving such funds shall maintain the funds in a segregated fund for the purposes of providing care, maintenance, and upkeep of the cemetery. Any owner of a cemetery who no longer is willing and able to care for a cemetery may enter into an agreement to transfer all ownership to the political subdivision.

This bill allows political subdivisions to issue licenses to cemeteries within its jurisdiction, examine and audit such cemeteries and accept title to such cemeteries.

Any political subdivision that has adopted cemetery licensing under these provisions may apply to the Department of Health and Senior Services for payment from the Endowed Care Audit Fund to assist with costs incurred in conducting audits of Endowed Care Funds for cemeteries licensed by the political subdivision.

Any person denied access to a cemetery or private burying ground which is completely surrounded by private land shall have standing to seek court orders as appropriate to obtain reasonable ingress and egress for purposes of visiting the cemetery. If the court determines a violation of this provision the court shall assess costs and fees incurred in such action against the persons who denied access and any person who denies access under this provision shall be guilty of a class A misdemeanor.