



SENATE BILL 379: Cemeteries Located on State Property

2015-2016 General Assembly

Committee:	House Local Government	Date:	August 18, 2015
Introduced by:	Sens. Bingham, McKissick	Prepared by:	Giles S. Perry Committee Counsel
Analysis of:	PCS to Second Edition S379-CSSU-35		

SUMMARY: *Senate Bill 379 (PCS) requires each State agency to identify and inventory all known cemeteries on State lands allocated to that agency, and provide that inventory listing to the State Property Office and the Department of Cultural Resources; and authorizes State agencies to allow family members or other interested persons to maintain cemeteries.*

CURRENT LAW: Current State laws governing archaeological resources, including graves, are governed by Chapter 70 of the General Statutes.

BILL ANALYSIS:

Section 1 of Senate Bill 379 (proposed committee substitute) enacts new G.S. 70-21, concerning cemeteries on State lands.

This section:

- Requires the head of each State agency to identify and inventory all known cemeteries on State-owned property allocated to that agency, and provide that inventory listing to the State Property Office and the Department of Cultural Resources.
- Provides that State agencies would not be required to provide State funds to maintain the cemeteries, unless required by law, directed by court order, or if necessary to correct a known safety hazard.

Authorizes State agencies to allow family members or other interested persons to maintain cemeteries, including erecting signs, fencing, grave markers, monuments, and tombstones with the designated boundaries of the cemetery, if such activity does not create a safety hazard to the public. Approval from the agency would be necessary prior to any actions by the family member or interested person.

EFFECTIVE DATE: Effective when it becomes law.

