

Adopted Rejected

# COMMITTEE REPORT

YES: 10  
NO: 0

**MR. SPEAKER:**

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1522, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 14-21-2 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1999]:
- 6 **Chapter 2. Cemetery Preservation**
- 7 **Sec. 1. As used in this chapter, "grave memorial" refers to a**
- 8 **gravestone, monument, grave marker, or any other type of similar**
- 9 **item.**
- 10 **Sec. 2. (a) A person who lawfully removes a grave memorial**
- 11 **must file the following with the county recorder of the county**
- 12 **where the grave memorial was located before its removal:**
- 13 **(1) A precise description of all text appearing on the grave**

- 1           **memorial including:**
- 2            (A) names;
- 3            (B) dates;
- 4            (C) references to other individuals; and
- 5            (D) mementos.
- 6           **(2) A photograph of the grave memorial.**
- 7           **(3) A written description and photograph of the location of**
- 8           **the site from which the grave memorial was removed.**
- 9           **(b) A county recorder may collect a filing fee under IC 36-2-7-10**
- 10          **for filings under this section.**

11           **Sec. 3. A person may not buy or sell any of the following that**  
 12          **have been removed from a cemetery:**

- 13           (1) Grave memorial.
- 14           (2) Grave artifact.
- 15           (3) Grave ornamentation.
- 16           (4) Cemetery enclosure.
- 17           (5) Other commemorative item.

18           **Sec. 4. A grave memorial that is installed in a cemetery after**  
 19          **January 1, 2000, to designate the grave of an individual who is**  
 20          **buried in the cemetery must contain the name of the cemetery**  
 21          **where the grave memorial is installed. The name of the cemetery**  
 22          **must be added to the grave memorial by the same process that the**  
 23          **name of the individual is added to the grave memorial.**

24           **Sec. 5. A person who knowingly violates a provision of this**  
 25          **chapter commits a Class C misdemeanor."**

26          Page 3, line 7, delete "a person who" and insert "**the following:**

- 27           (1) **A person who acts in a proper and acceptable manner as**
- 28           **authorized by IC 14-21 other than a person who disturbs the**
- 29           **earth for an agricultural purpose under the exemption to**
- 30           **IC 14-21 that is provided in IC 14-21-1-24.**
- 31           (2) **A person who acts in a proper and acceptable manner as**
- 32           **authorized by IC 23-14."**

33          Page 3, delete lines 8 through 9.

34          Page 3, line 10, delete "intentionally" and insert "**intentionally:**".

35          Page 3, delete line 11.

36          Page 3, line 12, after "(1)" insert "**damages**".

37          Page 3, delete line 13.

38          Page 3, line 14, after "(2)" insert "**damages**".

- 1 Page 3, line 17, after "dead;" insert "**or**".
- 2 Page 3, between lines 17 and 18, begin a new line block indented
- 3 and insert:
- 4 "**(3) disturbs, defaces, or damages a cemetery monument,**
- 5 **grave marker, grave artifact, grave ornamentation, or**
- 6 **cemetery enclosure;**".
- 7 Renumber all SECTIONS consecutively.  
(Reference is to HB 1522 as introduced.)

**and when so amended that said bill do pass.**

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Representative Dillon