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# HOUSE BILL No. 1015

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-1.1-6.8; IC 34-30-2-158.

**Synopsis:** Immunity when granting access to cemetery. Provides immunity from civil liability to landowners who grant a decedent's family members and descendants access to cemeteries that are located on the landowners' properties and subject to property tax assessment as cemetery lands. Provides immunity from civil liability to persons who guide family members or descendants to those cemeteries.

**Effective:** July 1, 2012.

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January 9, 2012, read first time and referred to Committee on Judiciary.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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# HOUSE BILL No. 1015



A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-1.1-6.8-15 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. The owner of land  
3 that is classified under this chapter as cemetery land must allow family  
4 members and descendants of persons buried in the cemetery to have at  
5 least one (1) day each year to gain access to and visit the cemetery. The  
6 date of ~~the any~~ visit to the cemetery must be agreed upon between the  
7 owner and the family members and descendants of persons buried in  
8 the cemetery.

9 SECTION 2. IC 6-1.1-6.8-16 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2012]: **Sec. 16. The following apply when a**  
12 **landowner grants access to a cemetery under section 15 of this**  
13 **chapter:**

14 (1) **A family member or descendant who passes through the**  
15 **landowner's property and enters the cemetery is considered**  
16 **to have assumed the risk of any injury occurring to the**  
17 **individual's health, life, or property during the time the**



1 individual is present on the landowner's property.  
2 (2) The landowner is immune from civil liability for any  
3 injury occurring to the health, life, or property of a family  
4 member or descendant during the time the family member or  
5 descendant is present on the land on which the cemetery is  
6 located.  
7 (3) A person guiding a family member or descendant to the  
8 cemetery is immune from civil liability for any injury  
9 occurring to the health, life, or property of the family member  
10 or descendant during the time the guide and the family  
11 member or descendant are present on the land on which the  
12 cemetery is located.  
13 SECTION 3. IC 34-30-2-158 IS ADDED TO THE INDIANA  
14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2012]: **Sec. 158. IC 6-1.1-6.8-16 (Concerning**  
16 **landowners, guides, and family members or descendants granted**  
17 **access to cemetery land under IC 6-1.1-6.8-15).**

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