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HOUSE BILL 1951

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Lantz, DeBolt, Miloscia, McDonald, Stensen and Santos

Read first time 03/02/1999.

1 AN ACT Relating to abandoned cemeteries; and amending RCW 68.24.090  
2 and 68.50.200.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 68.24.090 and 1987 c 331 s 34 are each amended to read  
5 as follows:

6 Property dedicated to cemetery purposes shall be held and used  
7 exclusively for cemetery purposes, unless and until the dedication is  
8 removed from all or any part of it by an order and decree of the  
9 superior court of the county in which the property is situated, in a  
10 proceeding brought by the cemetery authority for that purpose and upon  
11 notice of hearing and proof satisfactory to the court:

12 (1) That no interments were made in or that all interments have  
13 been removed from that portion of the property from which dedication is  
14 sought to be removed.

15 (2) That the portion of the property from which dedication is  
16 sought to be removed is not being used for interment of human remains.

17 (3) That notice of the proposed removal of dedication has been  
18 given the cemetery board in writing at least sixty days before filing  
19 the proceedings in superior court.

1       (4) That the cemetery is not considered an abandoned cemetery as  
2 defined in RCW 68.60.010.

3       **Sec. 2.** RCW 68.50.200 and 1943 c 247 s 33 are each amended to read  
4 as follows:

5       The remains of a deceased person may be removed from a plot in a  
6 cemetery with the consent of the cemetery authority and the written  
7 consent of one of the following in the order named:

8       (1) The surviving spouse.

9       (2) The surviving children of the decedent.

10       (3) The surviving parents of the decedent.

11       (4) The surviving brothers or sisters of the decedent.

12       If the required consent cannot be obtained, permission by the  
13 superior court of the county where the cemetery is situated is  
14 sufficient: PROVIDED, That the permission shall not violate the terms  
15 of a written contract (~~(or)~~), the rules and regulations of the cemetery  
16 authority, or that the cemetery is not an abandoned cemetery as defined  
17 in RCW 68.60.010.

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