
HOUSE BILL 3004

State of Washington 64th Legislature 2016 Regular Session

By Representatives Orcutt, Blake, and DeBolt

Read first time 03/03/16. Referred to Committee on State Government.

1 AN ACT Relating to abandoned cemeteries; amending RCW 68.60.010;
2 and adding a new section to chapter 68.60 RCW.

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

4 **Sec. 1.** RCW 68.60.010 and 1990 c 92 s 1 are each amended to read
5 as follows:

6 ((Unless the context clearly requires otherwise,)) The
7 definitions in this section apply throughout this chapter unless the
8 context clearly requires otherwise.

9 (1) "Abandoned cemetery" means a burial ground of the human dead
10 ((in {for})):

11 (a) For which the county assessor can find no record of an owner;
12 ((or))

13 (b) Where the last known owner is deceased and lawful conveyance
14 of the title has not been made; or

15 (c) In which ((a)) the cemetery company, cemetery association,
16 corporation, or other organization that formed for the purposes of
17 burying the human dead:

18 (i) Has ((either)) has been administratively dissolved
19 by the secretary of state, or has otherwise ceased to exist, and for
20 which title has not been conveyed; or

1 (ii) No longer has a valid certificate of authority as determined
2 by the funeral and cemetery board.

3 (2) "Cemetery" has the same meaning as provided in RCW 68.04.040.

4 (3) "Historical cemetery" means any burial site or grounds which
5 contain within them human remains buried prior to November 11, 1889;
6 except that (a) cemeteries holding a valid certificate of authority
7 to operate granted under RCW 68.05.115 and 68.05.215, (b) cemeteries
8 owned or operated by any recognized religious denomination that
9 qualifies for an exemption from real estate taxation under RCW
10 84.36.020 on any of its churches or the ground upon which any of its
11 churches are or will be built, and (c) cemeteries controlled or
12 operated by a coroner, county, city, town, or cemetery district shall
13 not be considered historical cemeteries.

14 (~~(3)~~) (4) "Historic grave" means a grave or graves that were
15 placed outside a cemetery dedicated pursuant to this chapter and to
16 chapter 68.24 RCW, prior to June 7, 1990, except Indian graves and
17 burial cairns protected under chapter 27.44 RCW.

18 (~~(4) "Cemetery" has the meaning provided in RCW 68.04.040(2).~~)

19 NEW SECTION. Sec. 2. A new section is added to chapter 68.60
20 RCW to read as follows:

21 (1)(a) The funeral and cemetery board must consult with the
22 department of archaeology and historic preservation to promulgate
23 rules in order to allow for burials in abandoned cemeteries.

24 (b) The landowner of an abandoned cemetery must allow for burials
25 in accordance with rules promulgated by the funeral and cemetery
26 board.

27 (2) Any records, maps, or other documents associated with an
28 abandoned cemetery must be transferred to the state archives at the
29 time the cemetery becomes an abandoned cemetery.

30 (3) Any endowment care funds held by the cemetery authority at
31 the time such cemetery becomes an abandoned cemetery must be
32 transferred to the department of archaeology and historic
33 preservation.

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