CERTIFICATION OF ENROLLMENT

SENATE BILL 5275

Chapter 67, Laws of 1993

53rd Legislature
1993 Regular Session

ABANDONED CEMETERIES--MAINTENANCE BY NONPROFIT CORPORATIONS

EFFECTIVE DATE: 7/25/93

Passed by the Senate March 4, 1993
YEAS 49  NAYS 0

JOEL PRITCHARD
President of the Senate

Passed by the House April 8, 1993
YEAS 98  NAYS 0

BRIAN EBERSOLE
Speaker of the House of Representatives

Approved April 19, 1993

MARTY BROWN
Secretary

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SENATE BILL 5275 as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN
Secretary

FILLED

April 19, 1993 - 2:07 p.m.

MIKE LOWRY
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to abandoned cemeteries; and amending RCW 68.60.030.

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

Sec. 1. RCW 68.60.030 and 1990 c 92 s 3 are each amended to read as follows:

(a) The archaeological and historical division of the department of community development may grant by nontransferable certificate authority to maintain and protect an abandoned cemetery upon application made by a preservation organization which has been incorporated for the purpose of restoring, maintaining, and protecting an abandoned cemetery. Such authority shall be limited to the care, maintenance, restoration, protection, and historical preservation of the abandoned cemetery, and shall not include authority to make burials, unless specifically granted by the cemetery board.

(b) Those preservation and maintenance corporations that are granted authority to maintain and protect an abandoned cemetery shall be entitled to hold and possess burial records, maps, and other historical documents as may exist. Maintenance and preservation corporations that are granted authority to maintain and protect an
abandoned cemetery shall not be liable to those claiming burial rights, ancestral ownership, or to any other person or organization alleging to have control by any form of conveyance not previously recorded at the county auditor’s office within the county in which the abandoned cemetery exists. Such organizations shall not be liable for any reasonable alterations made during restoration work on memorials, roadways, walkways, features, plantings, or any other detail of the abandoned cemetery.

(c) Should the maintenance and preservation corporation be dissolved, the archaeological and historical division of the department of community development shall revoke the certificate of authority.

(d) Maintenance and preservation corporations that are granted authority to maintain and protect an abandoned cemetery may establish care funds pursuant to chapter 68.44 RCW, and shall report in accordance with chapter 68.44 RCW to the state cemetery board.

(2) Except as provided in subsection (1) of this section, the department of community development may, in its sole discretion, authorize any Washington nonprofit corporation that is not expressly incorporated for the purpose of restoring, maintaining, and protecting an abandoned cemetery, to restore, maintain, and protect one or more abandoned cemeteries. The authorization may include the right of access to any burial records, maps, and other historical documents, but shall not include the right to be the permanent custodian of original records, maps, or documents. This authorization shall be granted by a nontransferable certificate of authority. Any nonprofit corporation authorized and acting under this subsection is immune from liability to the same extent as if it were a preservation organization holding a certificate of authority under subsection (1) of this section.

(3) The department of community development shall establish standards and guidelines for granting certificates of authority under subsections (1) and (2) of this section to assure that any restoration, maintenance, and protection activities authorized under this subsection are conducted and supervised in an appropriate manner.

Passed the Senate March 4, 1993.
Passed the House April 8, 1993.
Approved by the Governor April 19, 1993.
Filed in Office of Secretary of State April 19, 1993.