CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1907**

Chapter 208, Laws of 2017

65th Legislature

2017 Regular Session

ABANDONED CEMETERIES--VARIOUS CHANGES

EFFECTIVE DATE: 7/23/2017

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| Passed by the House March 7, 2017  Yeas 97 Nays 0  FRANK CHOPP  **Speaker of the House of Representatives**  Passed by the Senate April 5, 2017  Yeas 48 Nays 0  CYRUS HABIB  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1907** as passed by House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  **Chief Clerk** |
| Approved May 5, 2017 10:35 AM | May 5, 2017 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**HOUSE BILL 1907**

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Passed Legislature - 2017 Regular Session

**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Orcutt, Blake, DeBolt, McDonald, and Van Werven

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

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

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

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

(1) "Abandoned cemetery" means a burial ground of the human dead ((~~in [for]~~)):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**--- END ---**

Passed by the House March 7, 2017.

Passed by the Senate April 5, 2017.

Approved by the Governor May 5, 2017.

Filed in Office of Secretary of State May 5, 2017.