

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

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

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

FILED

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

**Secretary of State
State of Washington**

SENATE BILL 5275

Passed Legislature - 1993 Regular Session

State of Washington

53rd Legislature

1993 Regular Session

By Senators Oke, Haugen and Winsley

Read first time 01/20/93. Referred to Committee on Government Operations.

1 AN ACT Relating to abandoned cemeteries; and amending RCW
2 68.60.030.

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

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

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

15 (b) Those preservation and maintenance corporations that are
16 granted authority to maintain and protect an abandoned cemetery shall
17 be entitled to hold and possess burial records, maps, and other
18 historical documents as may exist. Maintenance and preservation
19 corporations that are granted authority to maintain and protect an

1 abandoned cemetery shall not be liable to those claiming burial rights,
2 ancestral ownership, or to any other person or organization alleging to
3 have control by any form of conveyance not previously recorded at the
4 county auditor's office within the county in which the abandoned
5 cemetery exists. Such organizations shall not be liable for any
6 reasonable alterations made during restoration work on memorials,
7 roadways, walkways, features, plantings, or any other detail of the
8 abandoned cemetery.

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

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

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

29 (3) The department of community development shall establish
30 standards and guidelines for granting certificates of authority under
31 subsections (1) and (2) of this section to assure that any restoration,
32 maintenance, and protection activities authorized under this subsection
33 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.