

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1951

Chapter 367, Laws of 1999

56th Legislature
1999 Regular Session

ABANDONED CEMETERIES--REMOVAL OF DEDICATION

EFFECTIVE DATE: 7/25/99

Passed by the House April 19, 1999
Yeas 97 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 6, 1999
Yeas 42 Nays 0

BRAD OWEN
President of the Senate

Approved May 17, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1951** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 17, 1999 - 3:33 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1951

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Lantz, DeBolt, Miloscia, McDonald, Stensen and Santos)

Read first time 02/26/1999.

1 AN ACT Relating to abandoned cemeteries; amending RCW 68.24.090 and
2 68.60.020; and adding a new section to chapter 65.04 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 65.04 RCW
5 to read as follows:

6 Any person who has knowledge of the existence of any cemetery,
7 abandoned cemetery, historical cemetery, or historic grave that has not
8 been dedicated pursuant to RCW 68.24.010 through 68.24.040 may file for
9 recording, in the county in which the cemetery or grave is located, a
10 notice of abandoned cemetery document providing notice of the existence
11 of the cemetery or grave. Such document shall contain the legal
12 description of the property, the approximate location of the cemetery
13 or grave within the property, the name of the owner or reputed owner of
14 the property, and the assessor's tax parcel or account number. The
15 auditor or recording officer shall index the document to the names of
16 the property owner and the person executing the document.

17 **Sec. 2.** RCW 68.24.090 and 1987 c 331 s 34 are each amended to read
18 as follows:

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

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

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

12 (3) That notice of the proposed removal of dedication has been
13 given in writing to both the cemetery board ((in writing)) and the
14 office of archaeology and historic preservation. This notice must be
15 given at least sixty days before filing the proceedings in superior
16 court. The notice of the proposed removal of dedication shall be
17 recorded with the auditor or recording officer of the county where the
18 cemetery is located at least sixty days before filing the proceedings
19 in superior court.

20 **Sec. 3.** RCW 68.60.020 and 1990 c 92 s 2 are each amended to read
21 as follows:

22 Any cemetery, abandoned cemetery, historical cemetery, or historic
23 grave that has not been dedicated pursuant to RCW 68.24.030 and
24 68.24.040 shall be considered permanently dedicated and subject to RCW
25 68.24.070. Removal of dedication may only be made pursuant to RCW
26 68.24.090 and 68.24.100.

Passed the House April 19, 1999.

Passed the Senate April 6, 1999.

Approved by the Governor May 17, 1999.

Filed in Office of Secretary of State May 17, 1999.