

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS15141-LG-70 (03/12)

Short Title: Cemeteries Located on State Property. (Public)

Sponsors: Senators Bingham and McKissick (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RELATING TO CEMETERIES LOCATED ON STATE PROPERTY.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Chapter 65 of the General Statutes is amended by adding a new
5 Article to read:

6 "Article 13.

7 "Cemeteries on State Property.

8 "**§ 65-120. Cemeteries on State property.**

9 (a) To preserve the sanctity of cemeteries located on State property, the head of each
10 State agency shall have the following duties and responsibilities:

11 (1) To identify and inventory all known cemeteries within the property
12 boundaries of State-owned land that is allocated to the State agency.

13 (2) To furnish a copy of the inventory to the State Property Office and the
14 Department of Cultural Resources.

15 (b) The Department of Cultural Resources, with the cooperation of each respective
16 State agency, shall have the following duties and responsibilities:

17 (1) To map, mark, and delineate all cemeteries on State property.

18 (2) To ensure, to the extent possible, that all cemetery boundaries on State
19 property are clearly laid out, defined, and marked, and to take proper steps to
20 preserve them from encroachment.

21 (c) State agencies are not required to provide State funds or other resources to maintain
22 cemeteries on State property, except when required by law, regulation, or ordinance, directed
23 by court order, or necessary to correct a known safety hazard to the public.

24 (d) State agencies may allow a family member or other interested person to maintain
25 cemeteries and erect signs, fencing, grave markers, monuments, and tombstones within the
26 designated boundaries of the cemetery if this activity does not constitute a safety hazard to the
27 public. The family member or person shall obtain approval from the respective State agency
28 and the Department of Cultural Resources prior to performing any activity authorized under
29 this subsection and shall be responsible for any expense incurred by the activity."

30 **SECTION 2.** This act is effective when it becomes law.

