

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Webb**

A Bill

ACT 1317 OF 1995
SENATE BILL 606

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 5-39-212 REGARDING THE
9 UNLAWFUL FENCING OF CEMETERIES TO CHANGE THE DEFINITION OF
10 CEMETERIES TO ASSURE GREATER ACCESS TO AUTHORIZE COUNTY
11 JUDGES TO IMPROVE AND MAINTAIN ACCESS ROADS LEADING TO
12 CEMETERIES; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND THE ARKANSAS LAW REGARDING THE
15 UNLAWFUL FENCING OF CEMETERIES TO PERMIT
16 GREATER ACCESS AND TO ALLOW COUNTIES TO
17 IMPROVE CEMETERY ACCESS ROADS."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 5-39-212 is amended to read as follows:

23 "5-39-212. Cemeteries - Access - Debris - Disturbance.

24 (a) It shall be unlawful for any person, firm, corporation,
25 partnership, or association to:

26 (1) Construct any fence on any property in such manner as to
27 enclose any cemetery unless suitable access by automobile to the cemetery is
28 provided by gate or otherwise. The word cemetery as used in this subsection
29 is not intended to apply to any private family burial plot which contains less
30 than *five (5)* commercial grave markers. Nothing in this section prohibits the
31 placement of a fence around any cemetery for the purpose of defining
32 boundaries or protection of grave sites;

33 (2) Place any brush, tree tops, rubbish, or other unsightly
34 debris on any cemetery grounds, or to disturb, damage, or carry away any
35 marker in a cemetery.

36 (b) Any person, firm, corporation, partnership, or association

