

# Hall of the House of Representatives

85th General Assembly - Regular Session, 2005

## Amendment Form

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### Subtitle of House Bill No. 2740

"AN ACT TO PROTECT CEMETERIES FROM DESECRATION AND DISPLACEMENT  
AND TO PROVIDE FUNDS FOR UPKEEP OF CEMETERIES."

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### Amendment No. 1 to House Bill No. 2740.

Amend House Bill No. 2740 as originally introduced:

Page 1, delete lines 25 through 27 and substitute the following:

"(1)(A) Mine, extract, or remove coal from under, beneath, or within the buffer zone for a cemetery, graveyard, or burying place in this state as specified in rules promulgated by the Arkansas Pollution Control and Ecology Commission under the Arkansas Surface Coal Mining and Reclamation Act of 1979, § 15-58-101 et seq.; or

(B) Mine, extract, or remove any other mineral or substance from under, or beneath, or within twenty-five feet (25') of the boundary of any cemetery, graveyard, or burying place in this state;"

AND

Page 1, line 36, delete "(2)" and substitute "(2)(A)"

AND

Page 2, delete lines 1 through 6 and substitute the following:

"as to enclose any cemetery, graveyard, or burying place unless ~~suitable~~ reasonable access by automobile to the cemetery is provided by gate or otherwise.

(B) The word "cemetery", as used in this subsection, is not intended to apply to any private family burial plot ~~which~~ that:

(i) ~~contains~~ Contains fewer than six (6) commercial grave markers;

(ii) ~~and has~~ Has not been used for burial purposes for at least twenty-five (25) years; and

(iii) ~~which has~~ Has not had an access road to the burial plot for at least thirty (30) years."

AND

Page 2, line 10, delete "(b)(1)" and substitute "(b)"



AND

Page 2, delete lines 15 through 20

AND

Immediately following SECTION 5 add an additional section to read as follows:

"SECTION 6. Arkansas Code § 20-17-902 is amended to read as follows:  
20-17-902. Burial in registered cemetery required - Records.

(a) It shall be unlawful to bury a dead body outside of a registered cemetery.

(b) No dead body may be buried within twenty-five feet (25') of a cemetery boundary.

(b)(c) The sexton or person in charge of the cemetery shall keep a correct record, on a form prescribed by the Department of Health, of each body buried ~~therein~~ in the cemetery."

The Amendment was read \_\_\_\_\_

By: Representative Pace

MGF/JGH - 03-25-2005 09:50

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Chief Clerk