

1 AN ACT relating to cemeteries.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 381.697 is amended to read as follows:

4 (1) Every cemetery in Kentucky except private family cemeteries shall be maintained
5 by its legal owner or owners, without respect to the individual owners of burial
6 plots in the cemetery, in such a manner so as to keep the burial grounds or cemetery
7 free of growth of weeds, free from accumulated debris, displaced tombstones, or
8 other signs and indication of vandalism or gross neglect.

9 (2) The owner or owners of public or private burial grounds, regardless of size or
10 number of graves, shall protect the burial grounds from desecration or destruction as
11 stipulated in KRS 525.115(1)(a), (b), or (c) or from being used for dumping
12 grounds, building sites, or any other use which may result in the burial grounds
13 being damaged or destroyed. The provisions of this subsection shall not apply to the
14 owner or owners of public or private burial grounds when the public or private
15 burial grounds have been desecrated, damaged, or destroyed as the result of a crime
16 by another as defined by KRS 500.080.

17 (3) The owner or owners of private burial grounds shall be required to construct
18 cemetery protection structures only if the burial ground is located in a county with a
19 county cemetery board and if the board provides compensation to the private burial
20 ground owner for supplies, labor, and other expenses associated with such
21 construction.

22 (4) The governing authorities of any city within whose corporate limits any public or
23 private burial grounds lie ~~shall~~^{may} require the owner or those having claims to
24 the grounds to properly care for them.