



State of Tennessee

PUBLIC CHAPTER NO. 1032

HOUSE BILL NO. 1572

By Representatives McDaniel, Whitson, Hazelwood, Sherrell, Lynn, Shaw, Sparks

Substituted for: Senate Bill No. 2519

By Senator Ketron

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 11; Title 46, Chapter 4 and Title 46, Chapter 8, relative to cemeteries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 46-4-103, is amended by adding the following language as a new subsection:

(c)

(1) At least thirty (30) days prior to any hearing on a suit initiated pursuant to this section, the complainant shall file notice with the Tennessee historical commission. The notice shall include the approximate age of the burial ground and either:

(A) The name of the complainant, the location of the burial ground, and, if discernable, the name of any person interred at the burial ground; or

(B) An exact copy of the complaint filed in the chancery court.

(2) The Tennessee historical commission shall post filed notices on its website. Notices shall be posted in chronological order by county and updated at least monthly. The Tennessee historical commission may archive notices annually.

(3) Notwithstanding subdivisions (c)(1) and (2), any notice concerning the removal of Native American Indian human remains shall be filed according to title 11, chapter 6, and must not be posted on the website of the commission.

SECTION 2. Tennessee Code Annotated, Section 4-11-106, is amended by designating the current language of subsection (a) as subdivision (a)(1) and by adding the following language as a new subdivision (a)(2):

(2) The commission shall establish a historic cemetery advisory committee composed of seven (7) members. The committee may include up to three (3) members of the commission and must include at least one (1) non-commission member with expertise in each of the following areas: archeology, cemetery or land law, and historic preservation. The commission shall strive to ensure that the membership of the committee appropriately reflects the racial and geographic diversity of the state. The committee shall study protections and preservation efforts for cemeteries of historical importance and the need, if any, to enhance protections and preservation efforts. By December 1, 2020, and every five (5) years thereafter, the committee shall issue a report, including any recommendations for legislative action, to the commission. The commission may adopt the report or return the report to the committee for further consideration. If adopted by the commission, the report shall be posted on the website of the commission.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

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PASSED: April 24, 2018

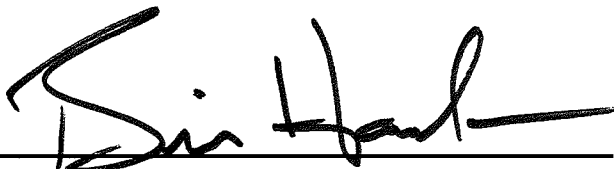


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2018



BILL HASLAM, GOVERNOR