

Senate Bill 657

By: Senator Hill of the 4th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 72 of Title 36 of the Official Code of Georgia Annotated, relating to
2 abandoned cemeteries and burial grounds, so as to provide the authority of counties and
3 municipalities to preserve historically registered cemeteries; to provide that state inmates and
4 probationers serving community service may be utilized to maintain abandoned or
5 historically registered cemeteries; to provide for related matters; to provide an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 72 of Title 36 of the Official Code of Georgia Annotated, relating to abandoned
10 cemeteries and burial grounds, is amended by striking Code Section 36-72-3, relating to the
11 authority of counties and municipalities to preserve abandoned cemeteries, and inserting a
12 new Code section to read as follows:

13 "36-72-3.

14 Counties, anywhere within the county boundaries, and municipalities, anywhere within the
15 municipal boundaries, are authorized, jointly and severally, to preserve and protect any
16 abandoned cemetery or any burial ground which the county or municipality determines has
17 been abandoned or is not being maintained by the person who is legally responsible for its
18 upkeep, whether or not that person is financially capable of doing so, to expend public
19 money in connection therewith, to provide for reimbursement of such funds by billing any
20 legally responsible person or levying upon any of his or her property as authorized by local
21 ordinance, and to exercise the power of eminent domain to acquire any interest in land
22 necessary for that purpose. For purposes of this Code section, an abandoned cemetery shall
23 include without limitation a cemetery registered as a historical site under Code Section
24 12-3-50.2 or held pursuant to Chapter 10 of Title 44 as either a historical conservation
25 easement or historical property. Inmates or probationers under the custody and care of the
26 Department of Corrections, or probationers sentenced to community service, may be

1 utilized in the maintenance of any cemetery which the county or municipality is authorized
2 to preserve and protect. "

3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law
5 without such approval.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.