

By Senator Clary

7-163-02

See HB

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A bill to be entitled  
An act relating to easements; amending s.  
704.08, F.S.; granting an easement for ingress  
and egress for purposes of visiting or  
maintenance of a cemetery to members of  
not-for-profit organizations whose purposes  
include the preservation of Florida's history;  
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 704.08, Florida Statutes, is  
amended to read:

704.08 Cemeteries; right of ingress and egress for  
visiting or maintenance.--The relatives and descendants of any  
person buried in a cemetery and the members of any  
not-for-profit organization whose purposes include the  
preservation of Florida's history shall have an easement for  
ingress and egress for the purpose of visiting the cemetery at  
reasonable times and in a reasonable manner. The owner of the  
land may designate the easement. If the cemetery is abandoned  
or otherwise not being maintained, such relatives and  
descendants and members of such organizations may request the  
owner to provide for reasonable maintenance of the cemetery,  
and, if the owner refuses or fails to maintain the cemetery,  
the relatives and descendants and members of such  
organizations shall have the right to maintain the cemetery.

Section 2. This act shall take effect October 1, 2002.

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HOUSE SUMMARY

Grants an easement for ingress and egress for purposes of  
visiting or maintenance of a cemetery to members of  
not-for-profit organizations whose purposes include the  
preservation of Florida's history.