

By Senator Clary

4-180-03

1 A bill to be entitled
2 An act relating to easements; amending s.
3 704.08, F.S.; granting an easement for ingress
4 and egress for purposes of visiting or
5 maintaining a cemetery to members of
6 not-for-profit organizations whose purposes
7 include the preservation of the state's
8 history; providing an effective date.

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

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

14 704.08 Cemeteries; right of ingress and egress for
15 visiting or maintenance.--The relatives and descendants of any
16 person buried in a cemetery and the members of any
17 not-for-profit organization whose purposes include the
18 preservation of the state's history shall have an easement for
19 ingress and egress for the purpose of visiting the cemetery at
20 reasonable times and in a reasonable manner. The owner of the
21 land may designate the easement. If the cemetery is abandoned
22 or otherwise not being maintained, such relatives and
23 descendants and members of such organizations may request the
24 owner to provide for reasonable maintenance of the cemetery,
25 and, if the owner refuses or fails to maintain the cemetery,
26 the relatives and descendants and members of such
27 organizations shall have the right to maintain the cemetery.

28 Section 2. This act shall take effect October 1, 2003.
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SENATE SUMMARY

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