

HB 0983

2004

1 A bill to be entitled
 2 An act relating to burial rights; creating s. 497.310,
 3 F.S.; providing for the optional recording of evidence of
 4 burial rights; providing for the purpose of recordation;
 5 providing for recording fees; amending s. 497.003, F.S.;
 6 applying provisions relating to recording of burial rights
 7 to all cemeteries in this state; providing an effective
 8 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 497.310, Florida Statutes, is created
 13 to read:

14 497.310 Recording purchase of burial rights.--

15 (1) Any person purchasing a burial right, belowground
 16 crypt, grave space, mausoleum, columbarium, ossuary, or
 17 scattering garden for the interment, entombment, inurnment, or
 18 other disposition of human remains may, at the person's option,
 19 permanently record the purchase of the burial right, belowground
 20 crypt, grave space, mausoleum, columbarium, ossuary, or
 21 scattering garden with the clerk of the court in the county
 22 where the burial right, belowground crypt, grave space,
 23 mausoleum, columbarium, ossuary, or scattering garden is
 24 located. The recordation pursuant to this section is for the
 25 purpose of public notification and for the purpose of
 26 establishing a permanent record in the official records of the
 27 county; however, it does not create any priority of interest or
 28 ownership.

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29 (2) The clerk of the court shall record the evidence of
 30 the purchase of a burial right, belowground crypt, grave space,
 31 mausoleum, columbarium, ossuary, or scattering garden presented
 32 to him or her for recording upon payment of the service charge
 33 as otherwise provided by law for the recording of the purchase
 34 documents in the official records.

35 Section 2. Subsection (2) of section 497.003, Florida
 36 Statutes, is amended to read:

37 497.003 Cemeteries; exemption; investigation and
 38 mediation.--

39 (2) Section 497.309(1) as to burial records, and ss.
 40 497.310, 497.321, 497.325, 497.341, and 497.345 apply to all
 41 cemeteries in this state.

42 Section 3. This act shall take effect July 1, 2004.