

By Senator Bennett

21-02464-08

20081308__

1 A bill to be entitled

2 An act relating to cemeteries; amending s. 497.270, F.S.;

3 prohibiting the taking of certain cemetery property by

4 eminent domain; providing exceptions; prohibiting

5 governmental entities from requiring the transfer of

6 cemetery property as a condition of obtaining any

7 regulatory approval; providing an effective date.

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

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11 Section 1. Subsection (6) is added to section 497.270,

12 Florida Statutes, to read:

13 497.270 Minimum acreage; sale or disposition of cemetery

14 lands.--

15 (6) Except for purposes of a road system, transportation

16 corridor, or right-of-way, property dedicated for cemetery use

17 and licensed pursuant to part II of this chapter may not be taken

18 by eminent domain if the property to be taken is 1 contiguous

19 acre or greater in area, unless the taking entity determines in a

20 public hearing that no reasonable alternatives exist except to

21 use the cemetery property for the project. A governmental entity

22 may not require the transfer of property dedicated for cemetery

23 purposes and licensed pursuant to part II as of July 1, 2007, as

24 a condition of obtaining regulatory approval.

25 Section 2. This act shall take effect July 1, 2008.