

HB 853

2008

1 A bill to be entitled
2 An act relating to cemetery lands; amending s. 497.270,
3 F.S.; revising provisions relating to the sale or
4 disposition of cemetery lands to provide restrictions with
5 respect to takings by eminent domain and the imposition of
6 certain conditions for obtaining specified regulatory
7 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. Subsections (6) and (7) are added to section
12 497.270, Florida Statutes, to read:

13 497.270 Minimum acreage; sale or disposition of cemetery
14 lands.--

15 (6) Except for road system, transportation corridor, or
16 rights-of-way purposes, property dedicated for cemetery purposes
17 and licensed under this part may not be taken by eminent domain
18 if the area of property to be taken is 1 contiguous acre or
19 greater in size, unless the taking entity determines in a public
20 hearing that there are no reasonable alternatives except to use
21 cemetery property for the project.

22 (7) A governmental entity may not require the transfer of
23 property dedicated for cemetery purposes and licensed under this
24 part as of July 1, 2007, as a condition of obtaining regulatory
25 approval for any regulatory process to which the cemetery is
26 subject.

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