

ENROLLED  
CS/HB 853

2008 Legislature

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 pursuant  
24   to part II as a condition of obtaining regulatory approval under  
25   this chapter.

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