

By Senator Davis

5-01865-25

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1                   A bill to be entitled  
2           An act relating to access to historic cemeteries;  
3           amending s. 267.21, F.S.; requiring the state to have  
4           an easement on certain land owned by a private owner  
5           for ingress and egress to maintain the cemetery and  
6           conduct research and noninvasive searches relating to  
7           the Historic Cemeteries Program; providing that such  
8           ingress and egress be at reasonable times, in a  
9           reasonable manner, and after the owner is provided  
10          with reasonable notice; providing an effective date.

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

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14           Section 1. Present subsection (3) of section 267.21,  
15 Florida Statutes, is redesignated as subsection (4), and a new  
16 subsection (3) is added to that section, to read:

17           267.21 Historic Cemeteries Program.—

18           (3) If credible evidence supports a determination that  
19 there is an abandoned cemetery located on, underneath, or  
20 adjacent to land owned by a private owner, the state must have  
21 an easement for ingress and egress for the purpose of  
22 maintaining the cemetery and conducting research and noninvasive  
23 searches at the cemetery. Such ingress and egress must be at  
24 reasonable times and in a reasonable manner after providing such  
25 owner with reasonable notice.

26           Section 2. This act shall take effect July 1, 2025.