

1                                   A bill to be entitled  
 2           An act relating to abandoned cemeteries; amending s.  
 3           704.08, F.S.; requiring the state to be granted an  
 4           easement for ingress and egress to abandoned  
 5           cemeteries on private property for specified purposes;  
 6           providing an effective date.

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

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 10           **Section 1. Section 704.08, Florida Statutes, is amended to**  
 11 **read:**

12           704.08 Cemeteries; right of ingress and egress for  
 13 visiting, ~~or~~ maintenance, research, and searches.—

14           (1) The relatives and descendants of any person buried in  
 15 a cemetery shall have an easement for ingress and egress for the  
 16 purpose of visiting the cemetery at reasonable times and in a  
 17 reasonable manner. The owner of the land may designate the  
 18 easement. If the cemetery is abandoned or otherwise not being  
 19 maintained, such relatives and descendants may request the owner  
 20 to provide for reasonable maintenance of the cemetery, and, if  
 21 the owner refuses or fails to maintain the cemetery, the  
 22 relatives and descendants shall have the right to maintain the  
 23 cemetery.

24           (2) If credible evidence supports a determination that  
 25 there is an abandoned cemetery located on, underneath, or

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26 adjacent to land owned by a private owner, the state must be  
27 granted an easement for ingress and egress for the purpose of  
28 maintaining and conducting research and noninvasive searches at  
29 such cemetery at reasonable times and in a reasonable manner  
30 after providing the owner with reasonable notice.

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