

SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION

S.F. No. 3771

(SENATE AUTHORS: ANDERSON, B.)

DATE  
03/22/2018

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Introduction and first reading  
Referred to Commerce and Consumer Protection Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to cemeteries; providing for the mandatory transfer of certain abandoned  
1.3 cemeteries; requiring a report to the state auditor on abandoned cemeteries;  
1.4 amending Minnesota Statutes 2016, section 306.243, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 306.243, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 1a. **Mandatory transfer of abandoned cemeteries.** (a) Consistent with the  
1.9 provisions of this chapter, the statutory or home rule charter city, town, or county in which  
1.10 an abandoned cemetery is wholly or partly located must:

1.11 (1) provide for the management and supervision of the maintenance and care of the  
1.12 abandoned cemeteries located there; and

1.13 (2) accept a transfer of an abandoned cemetery when the cemetery association has  
1.14 adopted a resolution to transfer the cemetery to the statutory or home rule charter city, town,  
1.15 or county as provided by section 306.025.

1.16 (b) Paragraph (a) applies only to abandoned cemeteries where a veteran as defined in  
1.17 section 197.447 is known or can be proven to be interred.

1.18 (c) Every statutory or home rule charter city, town, or county in which an abandoned  
1.19 cemetery is located must file a report with the state auditor by November 30, 2018, providing  
1.20 a plan to maintain and manage each cemetery, including whether or not the cemetery will  
1.21 be transferred, moved, or closed. The state auditor shall compile these reports and make  
1.22 them available to the public.

2.1 **EFFECTIVE DATE.** This section is effective August 1, 2018.