

STATEMENT OF PURPOSE

RS24355C1

Many cemeteries have lots that were originally sold decades ago and the owner may have subsequently moved from the community, or was buried in another cemetery, or the lot passed to a family member who may or may not be able to use it. This legislation provides a process for cities and cemetery districts to follow in these cases where lots that were purchased at least 50 years ago have not been used for burial purposes. The owner or their heir(s) are notified of the existence of the lot and given the opportunity to inform the city or district whether they intend to use the lot. If the owner or their heir(s) do not express an interest in the lot after notice is provided, then the city or district may follow the prescribed process to reclaim the lot for burial purposes.

In the case that the owner, their heir or assign contacts the city or district to use a lot for burial that has been reclaimed by the city or district and resold to another person, the city or district must either (1) provide another lot in the cemetery for burial or (2) compensate the owner, heir or assign for the reasonable value of the lot as of the date the individual contacted the city or district.

FISCAL NOTE

No fiscal impact to the state. Minimal fiscal impact to cities.

Contact:

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