

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE BILL 379  
State and Local Government Committee Substitute Adopted 3/31/15

Short Title: Cemeteries Located on State Property.

(Public)

Sponsors:

Referred to:

March 25, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT RELATING TO CEMETERIES LOCATED ON LANDS OWNED, OCCUPIED,  
3 OR CONTROLLED BY THE STATE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 2 of Chapter 70 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§70-21. Cemeteries on State lands.**

8 (a) To preserve the sanctity of cemeteries located on State lands, the head of each State  
9 agency shall have the following duties and responsibilities:

10 (1) To identify and inventory all known cemeteries on State lands allocated to  
11 that State agency.

12 (2) To furnish a copy of the inventory to the State Property Office and the  
13 Department of Cultural Resources.

14 (b) The Department of Cultural Resources, with the cooperation of each respective  
15 State agency, shall have the following duties and responsibilities:

16 (1) To map, mark, and delineate all cemeteries on State lands.

17 (2) To ensure, to the extent possible, that all cemetery boundaries on State lands  
18 are clearly laid out, defined, and marked and to take proper steps to preserve  
19 them from encroachment.

20 (c) State agencies are not required to provide State funds or other resources to maintain  
21 cemeteries on State land, except when required by law, regulation, or ordinance; directed by  
22 court order; or necessary to correct a known safety hazard to the public.

23 (d) State agencies may allow a family member or other interested person to maintain  
24 cemeteries and erect signs, fencing, grave markers, monuments, and tombstones within the  
25 designated boundaries of the cemetery if this activity does not constitute a safety hazard to the  
26 public. The family member or person shall obtain approval from the respective State agency  
27 and the Department of Cultural Resources prior to performing any activity authorized under  
28 this subsection and shall be responsible for any expense incurred by the activity."

29 **SECTION 2.** This act is effective when it becomes law.

