

2022 SESSION

INTRODUCED

22100959D

HOUSE BILL NO. 610

Offered January 12, 2022

Prefiled January 11, 2022

A *BILL to amend the Code of Virginia by adding a section numbered 57-27.1:1, relating to cemeteries; interment rights; proof of kinship.*

Patron—Roem

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 57-27.1:1 as follows:

§ 57-27.1:1. *Cemeteries located on private property; interment rights of family members and descendants.*

A. Any family member or descendant of a deceased person buried in a cemetery located on private property owned by someone other than such family member or descendant may petition the circuit court of the county or city wherein the property is located for interment rights upon such property.

The family member or descendant may prove kinship to a deceased person buried in the cemetery by proffering official documentation or evidence of kinship or nonofficial documentation, such as obituaries, family Bibles or other documents with family signatures, journals or letters of the deceased family person, family photographs, or other official or nonofficial documentation deemed by the court to be reliable.

B. Upon satisfactory showing of proof of kinship, the court shall award the family member or descendant interment rights upon such property. Such family member or descendant shall, in addition to the rights provided for in § 57-27.1, have interment rights concerning himself and other family members and descendants.

C. An owner of private property containing a cemetery or graves shall comply with all court orders allowing for the ingress and egress of such family member and descendant for interment purposes but may designate reasonable limitations with regard to access and usage of the property for the interment of any deceased person.

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