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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2228 Session of  
2015

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INTRODUCED BY GILLEN, HENNESSEY, BARRAR, BOBACK, R. BROWN,  
CALTAGIRONE, COX, DIAMOND, DIGIROLAMO, ELLIS, ENGLISH, FEE,  
FRANKEL, GABLER, HAHN, HARKINS, A. HARRIS, HICKERNELL,  
PHILLIPS-HILL, JOZWIAK, KNOWLES, MAJOR, MILLARD, B. MILLER,  
MURT, O'NEILL, D. PARKER, QUIGLEY, RADER, READSHAW, ROSS,  
SANTORA, SONNEY, TALLMAN, WARD, YOUNGBLOOD AND ZIMMERMAN,  
JUNE 29, 2016

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 29, 2016

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AN ACT

1 Amending Title 9 (Burial Grounds) of the Pennsylvania  
2 Consolidated Statutes, in general provisions, further  
3 providing for definitions and providing for declaration of  
4 policy and for reasonable access for visitation.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 101 of Title 9 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a definition to read:

9 § 101. Definitions.

10 Subject to additional definitions contained in subsequent  
11 provisions of this title which are applicable to specific  
12 chapters or other provisions of this title, the following words  
13 and phrases when used in this title shall have, unless the  
14 context clearly indicates otherwise, the meanings given to them  
15 in this section:

16 \* \* \*

1 "Relative." An individual related to another individual by  
2 consanguinity, affinity or adoption.

3 Section 2. Title 9 is amended by adding sections to read:

4 § 102. Declaration of policy.

5 The General Assembly finds and declares as follows:

6 (1) An individual has a right to reasonable access, for  
7 visitation, to a plot in a cemetery where a relative of the  
8 the individual is buried. This right applies to:

9 (i) a cemetery owned by a cemetery company;

10 (ii) a cemetery owned by a person other than a  
11 cemetery company; and

12 (iii) a private family cemetery.

13 (2) The Commonwealth and a municipality have a  
14 significant interest in protecting rights under paragraph  
15 (1).

16 § 103. Reasonable access for visitation.

17 (a) Cemetery companies.--A cemetery company shall grant an  
18 individual reasonable access, for visitation, to the plot in its  
19 cemetery where a relative of the individual is buried.

20 (b) Cemeteries not owned by cemetery companies.--The owner  
21 of a cemetery not owned by a cemetery company shall grant an  
22 individual reasonable access, for visitation, to the plot in its  
23 cemetery where a relative of the individual is buried.

24 (c) Private family cemeteries.--The owner of the property  
25 where a private family cemetery is located shall grant an  
26 individual reasonable access, for visitation, to the plot in the  
27 private family cemetery where a relative of the individual is  
28 buried.

29 (d) Penalty.--A person that violates this section commits a  
30 misdemeanor of the third degree.

1 Section 3. This act shall apply regardless of the date of:

2 (1) burial; or

3 (2) acquisition of title to the cemetery or private  
4 family cemetery.

5 Section 4. This act shall take effect in 60 days.