

Senate File 2126 - Introduced

SENATE FILE 2126

BY GREEN

A BILL FOR

1 An Act relating to the regulation of private burial sites by
2 counties and cities.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 331.301, Code 2026, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 30. a. A county shall adopt an ordinance
4 that establishes regulations governing the burial of human
5 remains on property located within the county, but outside the
6 corporate limits of any city, that is not owned and operated with
7 the main purpose of being a cemetery. The ordinance shall, at
8 a minimum, require the person authorized to conduct burials to
9 submit a document notifying the county that a burial occurred on
10 the property.

11 b. The county shall allow a burial on private property if the
12 requirements from all applicable laws and regulations, including
13 state and federal, are met. The county assumes no liability for
14 damages caused by a burial on private property.

15 Sec. 2. Section 364.3, Code 2026, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 24. a. A city shall adopt an ordinance that
18 establishes regulations governing the burial of human remains on
19 property located within the city that is not owned and operated
20 with the main purpose of being a cemetery. The ordinance shall,
21 at a minimum, require the person authorized to conduct burials to
22 submit a document notifying the city that a burial occurred on
23 the property.

24 b. The city shall allow a burial on private property if the
25 requirements from all applicable laws and regulations, including
26 state and federal, are met. The city assumes no liability for
27 damages caused by a burial on private property.

28 **EXPLANATION**

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill requires counties and cities to adopt an ordinance
32 that establishes regulations on burials to occur on property
33 that is not owned and operated with the main purpose of being
34 a cemetery. At a minimum, the ordinance shall require the person
35 authorized to conduct burials to submit a document notifying the

1 county or city that a burial occurred on the property. The
2 bill specifies that a county or city shall allow a burial on
3 private property if the requirements of any applicable laws and
4 regulations are met. A county or city does not assume any
5 liability for damages caused by a burial on private property.

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