

House File 216 - Reprinted

HOUSE FILE _____
BY ARNOLD, KAUFMANN, SWAIM,
and HUSER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to cemeteries, including what constitutes a
2 pioneer cemetery and claims of adverse possession concerning
3 cemeteries or pioneer cemeteries.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 HF 216
6 av/cm/25

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1 1 Section 1. Section 331.325, subsection 1, Code 2009, is
1 2 amended to read as follows:
1 3 1. As used in this section, "pioneer cemetery" means a
1 4 cemetery where there have been ~~six~~ twelve or fewer burials in
1 5 the preceding fifty years.
1 6 Sec. 2. Section 523I.102, subsection 39, Code 2009, is
1 7 amended to read as follows:
1 8 39. "Pioneer cemetery" means a cemetery where there were
1 9 ~~six~~ twelve or fewer burials in the preceding fifty years.
1 10 Sec. 3. Section 523I.316, Code 2009, is amended by adding
1 11 the following new subsection:
1 12 NEW SUBSECTION. 7. ADVERSE POSSESSION. A cemetery or a
1 13 pioneer cemetery is exempt from seizure, appropriation, or
1 14 acquisition of title under any claim of adverse possession,
1 15 unless it is shown that all remains in the cemetery or pioneer
1 16 cemetery have been disinterred and removed to another
1 17 location.
1 18 HF 216
1 19 av/cm/25