
A BILL FOR AN ACT

RELATING TO CEMETERIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to require the
2 director of commerce and consumer affairs to adopt rules for any
3 disinterment of human burials that is done for the purpose of
4 removing the dedication of a cemetery.

5 SECTION 2. Section 441-15, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§441-15 Removal of dedication.** Property dedicated to
8 cemetery purposes shall be held and used exclusively for
9 cemetery purposes unless and until the dedication is removed
10 from all or any part of it by an order and decree of the circuit
11 court of the judicial circuit in which the property is located
12 and the decree is filed in the bureau of conveyances or land
13 court in a proceeding brought by the cemetery authority for that
14 purpose and upon notice of hearing and proof satisfactory to the
15 court:

16 (1) That no interments were made in or that all interments
17 have been removed from that portion of the property
18 from which dedication is sought to be removed;



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1 (2) That the portion of the property from which dedication
 2 is sought to be removed is not being used for
 3 interment of human remains[~~-~~]; and

4 (3) That the removal of any interments in furtherance of
 5 this section will be performed in accordance with
 6 rules that the director shall have adopted pursuant to
 7 section 441-19 and chapter 91 by July 31, 2013."

8 SECTION 3. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Calvin H. Ay
 BY REQUEST

JAN 17 2012



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Report Title:

Cemeteries; Office of Hawaiian Affairs Package

Description:

Requires the director of commerce and consumer affairs to adopt rules by 7/31/13, for any disinterment of human burials that is done for the purpose of removing the dedication of a cemetery.

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