

ACT 145

S.B. NO. 2220

A Bill for an Act Relating to Burial Plots.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to permit the perpetuation of the family tradition of burying on one's own property, family members desiring to be buried in family burial plots.

SECTION 2. Chapter 441, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§441- Family burial plots. Owners of residential or agricultural property who use or intend to use their property for the interment of family members, shall be exempt from the provisions of this chapter; provided:

- (1) Burial plots on the owner's property shall be offered to family members only;

- (2) Burial plots shall not be sold or transferred to anyone, except as part of a sale or transfer of all or a substantial portion of the property; and
- (3) Any subsequent disinterment of any person interred on the property shall be conducted as though the property were cemetery property under section 6E-41.”

SECTION 3. Section 441-9, Hawaii Revised Statutes, is amended to read as follows:

“§441-9 Dedicated property exempt from improvement assessment. All property dedicated to cemetery purposes pursuant to this chapter, including roads, alleys, and walks, but excluding property on which there are family burial plots, shall be exempt from public improvement assessments.”

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved June 12, 1996.)

Note

- 1. Edited pursuant to HRS §23G-16.5.