

Reported Recommending
 Ind. Postponed
 Passed House
 Failed to Pass House
 Passed Senate
 Failed to Pass Senate

House File 176

January 31, 1947.
 Public Lands and Buildings,

By TROEGER and LUNDY.

A BILL FOR

An Act relating to the abandonment of cemetery lots.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section five hundred sixty-six point
 2 twenty (566.20), Code 1946, is hereby amended by striking
 3 out of line two (2) thereof the words "half lot" and
 4 inserting in lieu thereof the words "or portion thereof".

1 Sec. 2. Section five hundred sixty-six point
 2 twenty-one (566.21), Code 1946, is hereby amended by striking
 3 out of line three (3) thereof the word "twenty" and
 4 inserting in lieu thereof the word "ten".

1 Sec. 3. Section five hundred sixty-six point
 2 twenty-four (566.24), Code 1946, is hereby amended by
 3 striking out after the word "shall" in line three, the
 4 words "in writing give the reversionary owner notice that
 5 in fact there has been no such abandonment" and insert in
 6 lieu thereof the words "pay the past due annual care charges
 7 against the lot".

1 Sec. 4. Section five hundred sixty-six point twenty-
 2 five (566.25), Code 1946, is hereby amended by striking

3 out of line four thereof the words "half lot" and inserting

4 in lieu thereof the words "portion thereof".

1 Sec. 5. Section five hundred sixty-six point twenty-

2 six (566.26), Code 1946, is hereby amended by striking

3 out of line two (2) thereof the words "half lots" and

4 inserting in lieu thereof the words "portions thereof" and

5 by striking out of lines four (4) and five (5) thereof the words "half

6 of lot" and inserting in lieu thereof the words "portion of lot".

EXPLANATION OF H. F. 176

The present Cemetery Abandoned Lot Law recognizes only full and half lots. There are many lots in cemeteries of Iowa that have been abandoned thirty or forty years with only one or two grave spaces occupied. Under the present law, only the unoccupied one-half of the lot can revert, which leaves much of the other half unavailable for use, yet this unavailable space must be placed under perpetual care from the sale of the reverted portion.

In other words, the present law establishes perpetual care on much abandoned, unoccupied space which no one could ever use. The proposed amendments make the law applicable to all the unoccupied portions of lots. Also under the present law, a lot owner could willfully neglect to maintain his lot for a period of twenty years and at the end of that time simply make a statement to the cemetery that no abandonment existed and the cemetery, for the sake of uniform appearance, would be forced to care for the lot for another twenty years. It would seem that in such cases it would be just and right that the lot owner be required to pay the past due annual care charges before the presumption of abandonment should not exist. The proposed amendments will clarify the law and will provide perpetual care for the graves of many of our old pioneers that could not otherwise be cared for.