

HOUSE BILL 1572

By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 11; Title 46, Chapter 4 and Title 46,  
Chapter 8, relative to cemeteries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 46-4-103, is amended by adding the following language as a new subsection:

(c)

(1) Prior to any hearing on a suit initiated pursuant to this section, the complainant shall file notice with the historical commission. The notice shall include the approximate age of the burial ground and either:

(A) The name of the complainant, the location of the burial ground, and, if discernable, the name of any person interred at the burial ground; or

(B) An exact copy of the complaint filed in the chancery court.

(2) The historical commission shall post filed notices on its website.

Notices shall be posted in chronological order by county and updated at least monthly. The historical commission may archive notices annually.

SECTION 2. Tennessee Code Annotated, Section 4-11-106, is amended by designating the current language of subsection (a) as subdivision (a)(1) and by adding the following language as a new subdivision (a)(2):

(2) The commission shall establish a historic cemetery advisory committee. The committee shall study protections and preservation efforts for cemeteries of historical importance and the need, if any, to enhance protections and preservation efforts. By

December 1, 2020, and every five (5) years thereafter, the committee shall issue a report, including any recommendations for legislative action, to the commission. The commission may adopt the report or return the report to the committee for further consideration. If adopted by the commission, the report shall be posted on the website of the commission.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.