

IC 14-21-2

Chapter 2. Cemetery Preservation

IC 14-21-2-1

Chapter exemptions

Sec. 1. This chapter does not apply to the following:

- (1) A cemetery owner (as defined in IC 23-14-33-8) in the course of performing a legitimate function under IC 23-14 in relation to the owner's cemetery (as defined in IC 23-14-33-7).
- (2) The owner of a grave memorial who, for the purpose of replacing a grave memorial with a different grave memorial, transfers ownership of the grave memorial to a cemetery, cemetery owner, or grave memorial provider.

As added by P.L.100-1999, SEC.1.

IC 14-21-2-2

"Grave memorial" defined

Sec. 2. As used in this chapter, "grave memorial" refers to a gravestone, monument, grave marker, or any other type of similar item.

As added by P.L.100-1999, SEC.1.

IC 14-21-2-3

Filing required following lawful removal of grave memorial

Sec. 3. (a) A person who lawfully removes a grave memorial must file the following with the county recorder of the county where the grave memorial was located before its removal:

- (1) A precise description of all text appearing on the grave memorial including:
 - (A) names;
 - (B) dates;
 - (C) references to other individuals; and
 - (D) mementos.
- (2) A photograph of the grave memorial.
- (3) A written description and photograph of the location of the site from which the grave memorial was removed.

(b) A county recorder may collect a filing fee under IC 36-2-7-10 for filings under this section.

(c) A county recorder is:

- (1) not required to obtain special recording equipment for the purpose of recording the information listed in subsection (a); and
- (2) required to record only the information listed in subsection (a) that the recorder's current recording equipment can accommodate.

(d) The state board of accounts shall prescribe a form for recording the information listed in subsection (a). The form shall be available to the public at each local health department office.

As added by P.L.100-1999, SEC.1.

IC 14-21-2-4

Purchase or sale of items removed from cemetery prohibited

Sec. 4. A person may not buy or sell any of the following that have been removed from a cemetery:

- (1) Grave memorial.
- (2) Grave artifact.
- (3) Grave ornamentation.
- (4) Cemetery enclosure.
- (5) Other commemorative item.

As added by P.L.100-1999, SEC.1.

IC 14-21-2-5

Violations

Sec. 5. A person who knowingly violates section 3 or 4 of this chapter commits a Class C misdemeanor.

As added by P.L.100-1999, SEC.1. Amended by P.L.195-2014, SEC.14.