

## **IC 14-21-5**

### **Chapter 5. Access to Cemetery Land**

#### **IC 14-21-5-1**

##### **"Family member"**

Sec. 1. As used in this chapter, "family member" means a relative or descendant of a person buried in a cemetery.

*As added by P.L.68-2012, SEC.4.*

#### **IC 14-21-5-2**

##### **"Invitee"**

Sec. 2. As used in this chapter, "invitee" means an individual who has been given permission by a landowner to visit a cemetery located on the landowner's property.

*As added by P.L.68-2012, SEC.4.*

#### **IC 14-21-5-3**

##### **Access to cemetery land**

Sec. 3. The owner of land that is classified under IC 6-1.1-6.8 as cemetery land must allow family members of persons buried in the cemetery at least three (3) days each year during which the family members may gain access to and visit the cemetery. The date or dates on which family members will visit the cemetery must be agreed upon between the landowner and the family members.

*As added by P.L.68-2012, SEC.4.*

#### **IC 14-21-5-4**

##### **Immunity for injuries to family members and invitees granted access to cemetery land**

Sec. 4. The following apply when a landowner grants access to a cemetery that is classified under IC 6-1.1-6.8:

(1) Except for an injury that is a direct result of a landowner's gross negligence or willful and wanton misconduct, the landowner is immune from civil liability for any injury occurring to the health, life, or property of an invitee or a family member during the time the invitee or family member is present on the landowner's property.

(2) Except for an injury that is a direct result of a guide's gross negligence or willful and wanton misconduct, a person guiding an invitee or a family member to the cemetery is immune from civil liability for any injury occurring to the health, life, or property of the invitee or family member during the time the guide and the invitee or family member are present on the landowner's property.

*As added by P.L.68-2012, SEC.4.*