



2001 SENATE BILL 51

February 15, 2001 – Introduced by Senators MOEN, M. MEYER, SCHULTZ and PLACHE, cosponsored by Representatives MONTGOMERY, RYBA, UNDERHEIM, HUEBSCH, LADWIG and STARZYK. Referred to Committee on Human Services and Aging.

1 **AN ACT to create** 157.114 of the statutes; **relating to:** requiring certain cemetery
2 authorities to provide for burials during each season.

Analysis by the Legislative Reference Bureau

This bill requires, with certain exceptions, the owner or operator of a cemetery (cemetery authority) to provide for burials, insofar as practicable, during each season, including winter. This requirement does not prohibit a cemetery authority from charging a reasonable fee to recover the costs related to providing for a burial during difficult weather conditions.

The bill's requirement to provide for burials during each season does not apply to any of the following: 1) a municipality that takes control of a cemetery that the owner or operator has abandoned or failed to care for; or 2) a town board that takes control of a cemetery that has fallen into disuse or is abandoned or neglected.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 157.114 of the statutes is created to read:
4 **157.114 Duty to provide for burials.** (1) In this section, “cemetery
5 authority” does not include a municipality that takes control of a cemetery under s.

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1 157.115 (1) (b) or a town board that takes charge of a cemetery under s. 157.115 (1)
2 (c).

3 **(2)** A cemetery authority shall, insofar as practicable, provide for burials
4 during each season, including winter. Nothing in this subsection may be construed
5 to prohibit a cemetery authority from charging a reasonable fee to recover the costs
6 related to providing for a burial during difficult weather conditions.

7 **(END)**