



## 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.

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*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.

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*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)**