

By: Representative Clark

To: Judiciary B

HOUSE BILL NO. 946

1 AN ACT TO REQUIRE AN OWNER OF PROPERTY ON WHICH A CEMETERY OR  
2 BURIAL PLOT IS LOCATED TO OFFER FIRST FOR SALE TO AN HEIR OR  
3 ASSIGNS OF THE DECEASED; TO REQUIRE AN OWNER OF PROPERTY ON WHICH  
4 A CEMETERY OR BURIAL PLOT IS LOCATED TO GRANT AN EASEMENT TO AN  
5 HEIR OR ASSIGNS OF THE DECEASED FOR VISITATION; AND FOR RELATED  
6 PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** (1) Any person who owns property on which a  
9 cemetery or burial plot is located and the owner wishes to use the  
10 property for some purpose other than as a cemetery or burial plot  
11 or sell such property to someone who desires to use the land for  
12 some purpose other than as a cemetery or burial plot, such owner  
13 shall offer the property first for sale to the heirs or assigns of  
14 the deceased for fair market value. The owner of such property  
15 shall include an easement to the cemetery or burial plot within  
16 the fair market value sale price offered to the heir or assign.

17 (2) Any person who owns property on which a cemetery or a  
18 burial plot is located shall grant an easement to the cemetery or  
19 burial plot to the heirs or assigns of the deceased for visitation  
20 to the cemetery or burial plot.

21 **SECTION 2.** This act shall take effect and be in force from  
22 and after its passage.