

RÉSUMÉ DIGEST

ACT 20 (HB 248)

2023 Regular Session

McMahon

Existing law defines a cemetery as a place used for the interment of human remains.

New law retains existing law and adds that a cemetery is a place used for the interment of pet remains as allowed by new law.

New law provides that pet remains can be interred in a cemetery where all of the following conditions are met:

- (1) The cemetery space is located in a cemetery where no prior interment of human remains have been made and is dedicated by the cemetery authority by an act of dedication to be used for the interment of human remains with cremated pet remains.
- (2) The pet remains are interred incidental to the interment of human remains.
- (3) Written authorization for the interment of pet remains has been provided by the owner of the cemetery space or a person having a right of interment in a cemetery space. The cemetery authority shall not have the responsibility to determine the ownership of pet remains or the right of the person authorizing the interment of such pet remains.
- (4) The use of cemetery spaces complies with rules and regulations adopted by the cemetery authority.

New law requires pet remains to be cremated, stored in a closed receptacle, and placed in a grave, vault, crypt, or niche.

New law requires a cemetery authority to provide a list of charges approved by the authority for the interment of pet remains. New law provides that a cemetery authority may limit the type of pets and the type of interment of the pet remains allowed in its cemetery.

New law provides that a cemetery is not required to authorize the interment of pet remains if a cemetery is not dedicated for such purposes.

New law states that pet remains shall be considered personal property, and may be treated as such by a cemetery authority as permitted in existing law.

New law provides that new law shall not be construed to change or revoke a preexisting contract related to a cemetery, an interment, or a disposition of remains.

New law provides that there shall be no liability for a cemetery authority for permitting the interment of cremated pet remains or for not permitting the interment of pet remains in a cemetery that has not been dedicated for the purpose of interment of pet remains.

Effective August 1, 2023.

(Amends R.S. 8:1(7); Adds R.S. 8:907)