

Laws Regarding Cemeteries in Indiana

IC 14-21-1-13.5

Authorizes the Department of Natural Resources – Division of Historic Preservation and Archaeology to conduct a survey program of every cemetery and burial ground in Indiana

IC 14-21-1-7

Defines human remains

IC 14-21-1-24

Makes it illegal to farm or conduct animal husbandry in a cemetery

IC 14-21-1-26.5

A person may not disturb the ground within 100 feet of a burial ground or cemetery for the purpose of erecting, altering or repairing any structure without having a development plan approved by DHPA

IC 14-21-1-27

A person finding human remains must notify DHPA within two days. Reburial will in compliance with state laws.

IC 14-21-1-28

Makes it illegal to disturb the ground for the purpose of discovering or removing artifacts, burial objects, grave markers, or human remains without a plan with the DHPA.

IC 14-21-1-29

If you find an artifact, notification of our department must be within two days.

IC 14-21-2

Discusses removal of grave memorial with a new stone must be reported to the County Recorder; Makes selling grave artifacts illegal

IC 14-21-3

Before a person buys property containing a cemetery, the current owner must record the deed in the recorder's office with CEMETERY in bold, capital letters on the bottom of the deed

IC 23-14-26

Discusses the creation of Cemetery Commissions at the county level

IC 23-14-57

Describes how cemeteries and human remains are disinterred

IC 6-1.1-6.8

A person with a cemetery on his/her land may have the value of the land (where the cemetery is located) accessed for \$1.00 per acre.

IC 23-14

Defines a cemetery, discusses care of cemeteries in use, surveys of cemeteries, and other aspects of cemeteries in use.

IC 23-14-68

Care of Cemetery by Township

- *Cemeteries without funds for maintenance
- *In Existence before February 28, 1939
- *Not managed by any viable organizations

Defines what the Township Trustee must do

- *Reset and straighten all monuments
- *Level and seed the ground
- *Construct fences
- *Destroy detrimental plant, noxious weed, and rank vegetation

IC 35-43

Criminal Mischief - allows for a person to be convicted under the criminal mischief law if they vandalize a cemetery

To see the entire law, go to <http://www.in.gov/legislative/iac/>, put in the code and the law will be displayed