

As Amended by House Committee

Session of 2008

HOUSE BILL No. 2935

By Committee on Appropriations

2-25

10 AN ACT concerning cemetery corporations; relating to the dissolution  
11 thereof; amending K.S.A. 17-1367 and repealing the existing section.  
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 17-1367 is hereby amended to read as follows: 17-  
15 1367. Whenever the attorney general determines the existence of an  
16 abandoned cemetery in this state, the attorney general shall immediately  
17 proceed to dissolve the cemetery corporation owning the same. Upon the  
18 dissolution of such corporation, title to all property owned by the ceme-  
19 tery corporation shall vest in the municipality in which the cemetery is  
20 located, ~~and any liens, perfected or unperfected, against such property~~  
21 ~~shall be immediately ~~quashed~~ quashed, null and void and unenforceable~~  
22 ~~on and after January 1, 2003~~, and the permanent maintenance fund,  
23 together with all investments then outstanding, and all books, records and  
24 papers of such corporation shall be transferred to the treasurer of such  
25 municipality and shall become the property thereof. Upon the transfer of  
26 such property and funds, the governing body of such municipality shall  
27 care for and maintain such cemetery with any moneys of the cemetery  
28 corporation including the principal of and income from the permanent  
29 maintenance fund and, if such moneys are insufficient to properly main-  
30 tain such cemetery, with funds of the municipality. The principal of and  
31 income from the permanent maintenance fund may be deposited in any  
32 appropriate fund of the municipality or may be invested in the manner  
33 provided in K.S.A. 17-1311, ~~and amendments thereto~~, but shall be used  
34 exclusively for care and maintenance of such cemetery.

35 Sec. 2. K.S.A. 17-1367 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its  
37 publication in the Kansas register.