

2022 Regular Session

HOUSE BILL NO. 833

BY REPRESENTATIVE MCMAHEN

CEMETERIES: Provides for the burial of pet remains with human remains

1 AN ACT

2 To amend and reenact R.S. 8:1(introductory paragraph) and (7) and to enact R.S. 8:907,  
3 relative to pet remains; to authorize the burial of pet remains with human remains;  
4 to provide for definitions; to provide for restrictions; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 8:1(introductory paragraph) and (7) are hereby amended and  
8 reenacted and R.S. 8:907 is hereby enacted to read as follows:

9 §1. Definitions

10 As used in this Title the following ~~words and phrases~~, terms have the  
11 following meanings unless the context ~~otherwise~~ clearly indicates otherwise, ~~shall~~  
12 ~~have the meaning hereinafter ascribed to each:~~

13 \* \* \*

14 (7) "Cemetery" means a place used or intended to be used for the interment  
15 of the human dead, and, to the extent allowed in accordance with this Title, pet  
16 remains. It includes a burial park, for earth interments; or a mausoleum, for vault or  
17 crypt interments; or a columbarium, or scattering garden, for cinerary interments; or  
18 a combination of one or more of these.

19 \* \* \*

1        §907. Interment of pet remains

2                A. The interment of pet remains in a cemetery may be available to a lot  
3        owner only in those circumstances where both of the following occur:

4                (1) The interment is incidental to the interment of human remains, whether  
5        before, concurrent with, or after the interment of the pet remains.

6                (2) Authorization has been provided in a written statement or written and  
7        adopted rules from the cemetery corporation.

8                B. Pet remains disposed of in accordance with the provisions of this Section  
9        shall be placed in a grave, vault, crypt, or niche. The cemetery corporation shall  
10       provide a list of approved charges for the interment of such remains, and a cemetery  
11       corporation may limit the types of pets and the types of interments of pet remains  
12       allowed in a cemetery.

13               C. Nothing in this Section shall be construed as requiring a cemetery  
14       corporation to allow interment of pet remains where prior approval at the time of sale  
15       or in advance of need has not been issued or rules have not been adopted by the  
16       cemetery corporation.

17               D. Nothing in this Section shall authorize a pet owner to cause a pet to be  
18        euthanized without medical need and only for the purpose of interring the pet with  
19       the owner at the time of the owner's death.

20               E. Nothing in this Section shall operate to cancel or modify preexisting  
21       contracts related to cemeteries, interments, or dispositions.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 833 Original

2022 Regular Session

McMahon

**Abstract:** Authorizes the interment of pet remains only under certain circumstances.

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

Proposed law retains present law and adds that it is also a place used for the interment of pet remains as allowed by proposed law.

Proposed law provides that pet remains can be interred in a cemetery when both of the following two conditions are met:

- (1) The pet remains are interred incidental to the interment of human remains. This can be done before, during, or after the interment of the human remains.
- (2) Written authorization has been provided by the relevant cemetery corporation through a statement or through rules adopted by the cemetery corporation.

Proposed law requires pet remains to be disposed of in a grave, vault, crypt, or niche.

Proposed law requires a cemetery corporation to provide a list of charges approved by the corporation for the interment of pet remains, and a cemetery corporation is authorized to limit the type of pets and the type of interment of the pet remains allowed in its cemetery.

Proposed law provides that a cemetery is not required to authorize the interment of pet remains if written approval, as required by proposed law, has not been issued prior to the sale of a lot or prior to a pet owner's need to inter a pet.

Proposed law prohibits a pet owner from euthanizing a pet when there is no medical need for the purpose of interring the pet with the owner at the owner's death.

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

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