

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 395

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REEDY.

1172H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 253, RSMo, by adding thereto one new section relating to historic cemeteries.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 253, RSMo, is amended by adding thereto one new section, to be
2 known as section 253.387, to read as follows:

253.387. 1. As provided in Article III, Section 48 of the Constitution of Missouri,
2 the department of natural resources is hereby authorized to acquire by purchase, from
3 funds appropriated or otherwise available to the department, or to acquire by gift, if such
4 gift is unencumbered by any lien or mortgage, the Antioch Cemetery, a historic cemetery
5 wherein is interred freed African-American slaves and their descendants, for the purpose
6 of historic preservation and to inform and educate future generations to the contribution
7 and sacrifice of freed African-American slaves and descendants to their country and to
8 preserve for posterity this historic site located at 2300 Antioch Road, Clinton, Missouri, to
9 be operated and maintained by the division of state parks within the department of natural
10 resources. The cemetery is hereby designated as a state historic site.

11 2. In acquiring this cemetery, which may include both real and personal property,
12 the department shall make adequate provisions for the proper care, maintenance, and
13 safekeeping of the property. The department may contract for maintenance of the
14 property.

15 3. The attorney general shall approve the form of the instrument of conveyance.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **4. Upon acquisition of the property, the department shall allow for burials to**
17 **continue in the same manner as they had been conducted prior to acquisition until all**
18 **burial plots have been purchased. The department shall charge no more than one hundred**
19 **dollars per burial credited to the Antioch cemetery fund established in this section and**
20 **shall not be liable for any additional costs associated with any burial. The department shall**
21 **not be responsible for active burials.**

22 **5. (1) There is hereby created in the state treasury the "Antioch Cemetery Fund",**
23 **which shall consist of gifts, bequests, and moneys donated or collected under this section.**
24 **The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**
25 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund**
26 **and, upon appropriation, moneys in the fund shall be used solely for the administration of**
27 **this section.**

28 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
29 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
30 **general revenue fund.**

31 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
32 **funds are invested. Any interest and moneys earned on such investments shall be credited**
33 **to the fund.**

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