

CHAPTER 123

(HB 433)

AN ACT relating to violating graves.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 525.115 is amended to read as follows:

- (1) A person is guilty of violating graves when he intentionally:
 - (a) Mutilates the graves, monuments, fences, shrubbery, ornaments, grounds, or buildings in or enclosing any cemetery or place of sepulture; or
 - (b) Violates the grave of any person by destroying, removing, or damaging the headstone or footstone, or the tomb over the enclosure protecting any grave; or
 - (c) Digs into or plows over or removes any ornament, shrubbery, or flower placed upon any grave or lot.
- (2) The provisions of subsection (1) of this section shall not apply to ordinary maintenance and care of a cemetery nor the removal and relocation of graves pursuant to procedures authorized by and in accordance with applicable statutes.
- (3) Violating graves is a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense.
- (4) ***The court shall order the defendant to restore the cemetery to its pre-damage condition.***

Approved March 16, 2000

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