

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 620

Short Title: Perpetual Care Fund Changes.

(Public)

Sponsors: Senator Hoyle.

Referred to: Commerce.

March 17, 2005

A BILL TO BE ENTITLED

1 AN ACT PROVIDING FOR PERPETUAL CARE DEPOSIT FUNDS FOR PRIVATE
2 FAMILY MAUSOLEUMS AND REQUIRING CEMETERY COMPANIES TO
3 COLLECT PERPETUAL CARE DEPOSITS FOR MERCHANDISE NOT SOLD
4 BY THE CEMETERY COMPANY.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 65-63 reads as rewritten:

8 "**§ 65-63. Requirements for perpetual care fund.**

9 A cemetery company may not cause or permit advertising of a perpetual care fund in
10 connection with the sale or offer for sale of its property unless the amount deposited in
11 the fund is at least one hundred dollars (\$100.00) or ten percent (10%) of the retail sale
12 price, whichever is greater, per grave space, niche, or mausoleum crypt ~~sold~~ and
13 one hundred dollars (\$100.00) or five percent (5%) of the retail sale price, whichever is
14 greater, per private family mausoleum installed in the cemetery. Nothing may prohibit
15 an individual cemetery from requiring shall collect from interment rights owners and
16 outside vendors a perpetual care deposit for private family mausoleums, grave memorial
17 markers—markers, and any other merchandise that is to be installed in the cemetery,
18 including merchandise not sold by the cemetery, to be deposited in the perpetual care
19 fund so long as the same assessment is uniformly applied to all private family
20 mausoleums, grave memorial markers—markers, and other merchandise installed in the
21 cemetery."

22 **SECTION 2.** This act is effective when it becomes law.