

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 851  
HOUSE BILL 1174

1 AN ACT REWRITING G.S. 65-29 RELATING TO PERPETUAL CARE CEMETERIES, SO  
2 AS TO PERMIT THEIR SALE TO ESTABLISHED CHURCHES

3  
4 The General Assembly of North Carolina do enact:  
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6 **Section 1.** G.S. 65-29 is rewritten in its entirety to read as follows:

7 "**Sec. 65-29.** In the event of the voluntary purchase by any city or town or church of a cemetery  
8 providing perpetual care of lots under this Article, it shall be lawful for the cemetery to provide  
9 in its agreement with purchasers that in the event of the voluntary purchase by such  
10 municipality or church of such cemetery property, such cemetery shall retain for its own any  
11 amount accumulated in such perpetual care fund on sale of lots made subsequent to the  
12 ratification of this Article: Provided, such municipality or church purchasing and accepting a  
13 conveyance of said cemetery property shall, as part of the consideration for the making by such  
14 cemetery of said conveyance, assume in writing all obligations of such cemetery in connection  
15 with the maintenance thereof. In the event of the voluntary purchase by any city, town, or  
16 church of a cemetery providing perpetual care of lots under this Article, it shall be lawful for  
17 the purchaser to assume the trust fund intact, reimbursing said owner of such cemetery for such  
18 fund."

19 **Sec. 2.** No perpetual care cemetery may be purchased by a church unless such  
20 cemetery adjoins the church cemetery and unless the purchaser is a church which has been  
21 established at its present location for at least 25 years immediately prior to said purchase.

22 **Sec. 3.** For the purposes of this Act, a church shall be deemed to include a  
23 synagogue, generally recognized religious denomination or religious order, whether  
24 incorporated or unincorporated.

25 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

26 **Sec. 5.** This Act shall be in full force and effect from and after ratification.

27 In the General Assembly read three times and ratified, this the 16th day of June,  
28 1969.