

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE DRS15125-LG-82 (02/17)

Short Title: Perpetual Care Fund Changes.

(Public)

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Sponsors: Senator Hoyle.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT PROVIDING FOR PERPETUAL CARE DEPOSIT FUNDS FOR PRIVATE FAMILY MAUSOLEUMS AND REQUIRING CEMETERY COMPANIES TO COLLECT PERPETUAL CARE DEPOSITS FOR MERCHANDISE NOT SOLD BY THE CEMETERY COMPANY.

The General Assembly of North Carolina enacts:

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

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

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

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