

CEMETERY OVERSIGHT ACT: PROVISIONS AND IMPACT

Provisions	No interments for 10 years, less than 2 acres with no care funds, family owned	Public, Religious, Fewer than 25 interments a year with no care fund	Association or Privately held
Full Exempt 5-20	Yes	No	No
Partial Exempt 5-20	No	Yes	No
Bond, letter of credit, self insurance If selling with care	No	No	Yes
Liability Insurance	No	No	Yes
License Cemetery Authority 10-21 Financial proof of capability, good moral character and so on	No	No	Yes
License Cemetery Manager or customer service employee 10-21 Fingerprints and so on	No	No	Yes & Funeral Homes
Worker's Statement 10-22 Keep in file and transmitted to Dept	No	No	Yes
Section 10-25. Examination; failure or refusal to take the examination.	No	No	Yes
Continuing education	No	No	Yes
Care Fund requirements	No	No	Yes
Fees 10-55	No	No	Yes
Returned Checks 10-60	No	No	Yes
Care fund trusts 15-5	No	No	Yes
Restriction on care fund loans 15-10	No	No	Yes
Care Fund Audits 15-40	No	No	Yes
Maintenance & Records 20-5 Standard of Care (a)	No	Yes	Yes
Post overall map (b)	No	Yes	Yes
Index (b-5)	No	Yes	Yes
Overall map (c)	No	Yes	Yes
Record of burials (d)	No	Yes	Yes
Copy R & R (f)	No	No	Yes
Prices of Inter. (f)	No	No	Yes
Access (g)	No	No	Yes
Openings (h)	No	No	Yes
Keep books and records in this state	No	No	Yes
Trust in State (i)	No	No	Yes

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Oversight Database 20-6	No	Yes	Yes
Vehicle Traffic 20-8	No	Yes & Funeral Homes	Yes & Funeral Homes
Contact Information 20-11 Cemetery Manager name & address on contract	No	Yes	Yes
Method of payment 20-12 No requirement for cash only	No	Yes	Yes
Interment in Cemetery 20-15 Funeral Director has right to see final burial	No	No	Yes
Annual Report 20-25	No	No	Yes
Signage 20-30 Posted in office	No	Yes	Yes
Cemetery Association 22-8 No compensation except to Secretary & Treasurer	No	No	Yes - Assoc. Only
Cemetery Association 22-14 Misdemeanor or Felony for volunteers	No	No	Yes - Assoc. Only
Investigation and Mediation 25-3	No	Yes	Yes
Citations 25-5	No	No	Yes
Disciplinary Action 25-10	No	No	Yes
Independent Contractors 25-13	No	No	Yes
Mandatory Reports 25-14	No	No	Yes
Cease & Desist 25-15	No	No	Yes
Cemetery Relief Fund 25-75	No	No	Yes
Whistleblower 25-120	No	Yes	Yes
Consumer Bill Of Rights 35-10 Penalties	No	Yes	Yes
Consumer Privileges 35-10	No	Yes	Yes
Cemetery Duties 35-15 Standard price list	No	Yes	Yes
Contract - Formal	No	Yes	Yes
Extend term burial	No	Yes	Yes
Changing R & R	No	Yes	Yes
Burial Permits 75-50 I.D. Number etc	No	No	Yes