

Ritchie (HB 771)**Act. No. 88**

Existing law requires any corporation, partnership, firm, trust, association, or individual engaging or transacting business of a cemetery to do so by means of a corporation authorized to operate a cemetery.

Existing law provides that the requirement to incorporate does not apply to any cemetery authority in existence and operating on July 31, 1974.

New law makes a technical change to the citation.

Existing law requires all cemeteries to file with the trustee an annual report. No later than 60 days after receiving the annual report, existing law further requires the trustee to file with the La. Cemetery Board (board) an annual account showing all receipts and disbursements of cash and all receipts and deliveries of other trust property for the year and set forth a detailed list of all items of trust property in the trust at the end of the year.

With respect to a cemetery care fund, prior law required the trustee, within 60 days of resignation, to file with the board and the clerk of the district court for the parish in which the cemetery is located, a final accounting showing in detail all receipts and disbursements of cash and all receipts and deliveries of other trust property, and set forth a detailed list of all items of trust property in the trust from the last reporting period through the date of resignation and transfer of the trust fund to the successor trustee.

New law changes prior law and now requires the resigning trustee to file the final accounting within 60 days of his resignation and transfer of the trust fund to the successor trustee.

Prior law provided that, with regards to a merchandise trust fund, within 60 days of a trustee's resignation, the trustee is required to file with the board a financial report of the merchandise trust fund, including principal, investments, payments, and income earned and disbursed from the last reporting period through the date of resignation and transfer of the trust fund to the successor trustee.

New law changes prior law and now requires the resigning trustee to file the final accounting within 60 days of his resignation and transfer of the trust fund to the successor trustee.

Effective August 1, 2014.

(Amends R.S. 8:203, 456(B), and 505(B))