

Introduced by Senator Fuller
(Coauthor: Assembly Member Conway)

February 1, 2013

An act to amend Section 9063.9 of the Health and Safety Code, relating to public cemetery districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 159, as introduced, Fuller. Public cemetery districts: Kern River Valley Cemetery District.

The Public Cemetery District Law specifies the procedures for the formation of public cemetery districts, procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. That law limits interments in public cemetery district cemeteries to residents of the district and nonresidents who meet specified criteria. Existing law also permits interments of nonresidents in designated public cemetery districts, under certain circumstances.

This bill would authorize the Kern River Valley Cemetery District in Kern County to use their cemeteries for up to a total of 400 interments each, not to exceed 40 interments each per calendar year, to inter nonresidents and nonproperty taxpayers, if specified conditions are met.

This bill would make legislative findings and declarations as to the necessity of a special statute for Kern County.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9063.9 of the Health and Safety Code is
- 2 amended to read:

1 9063.9. Notwithstanding Sections 9060 and 9061, the
 2 Cottonwood Cemetery District in Shasta County, the Anderson
 3 Cemetery District in Shasta County, *the Kern River Valley*
 4 *Cemetery District in Kern County*, and the Silveyville Cemetery
 5 District in Solano County may use their cemeteries for up to a total
 6 of 400 interments each, not to exceed 40 interments each per
 7 calendar year, for interment in the ground or a columbarium of
 8 any person who is not a resident or a property taxpayer of any
 9 cemetery district, and who does not qualify for that interment
 10 pursuant to Section 9061, if all of the following apply:

- 11 (a) The board of trustees determines that the district’s cemetery
 12 has adequate space for the foreseeable future.
- 13 (b) The district has an endowment care fund that requires a
 14 contribution for every interment of at least the minimum amount
 15 set pursuant to Sections 8738 and 9065.
- 16 (c) The district requires the payment of a nonresident fee set
 17 pursuant to Section 9068.

18 SEC. 2. The Legislature finds and declares that a special law
 19 is necessary and that a general law cannot be made applicable
 20 within the meaning of Section 16 of Article IV of the California
 21 Constitution because of the unique circumstances pertaining to the
 22 Kern River Valley Cemetery District.

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 25 **CORRECTIONS:**
 26 **Heading—Coauthor—Line 2.**
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