

Introduced by Senator Nielsen

February 21, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1291, as introduced, Nielsen. Public cemetery districts: Halcumb 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 Halcumb 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 Shasta 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 Halcumb Cemetery District*
4 *in Shasta County*, the Kern River Valley Cemetery District in Kern
5 County, and the Silveyville Cemetery District in Solano County
6 may use their cemeteries for up to a total of 400 interments each,
7 not to exceed 40 interments each per calendar year, for interment
8 in the ground or a columbarium of any person who is not a resident
9 or a property taxpayer of any cemetery district, and who does not
10 qualify for that interment pursuant to Section 9061, if all of the
11 following apply:

12 (a) The board of trustees determines that the district’s cemetery
13 has adequate space for the foreseeable future.

14 (b) The district has an endowment care fund that requires a
15 contribution for every interment of at least the minimum amount
16 set pursuant to Sections 8738 and 9065.

17 (c) The district requires the payment of a nonresident fee set
18 pursuant to Section 9068.

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