

ASSEMBLY BILL

No. 1658

Introduced by Assembly Member Bigelow
(Coauthor: Senator Gaines)

January 13, 2016

An act to add Section 9063.3 to the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 1658, as introduced, Bigelow. Happy Homestead Cemetery District: nonresident burial.

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 Happy Homestead Cemetery District in the City of South Lake Tahoe in the County of El Dorado to use its cemeteries to inter residents of specified Nevada communities if specified conditions are met.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Happy Homestead Cemetery District.

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 9063.3 is added to the Health and Safety
2 Code, to read:

3 9063.3. Notwithstanding Sections 9060 and 9061, the Happy
4 Homestead Cemetery District located in the City of South Lake
5 Tahoe in the County of El Dorado may inter residents of the
6 Nevada communities of Glenbrook, Cave Rock, Skyland, Zephyr
7 Cove, Round Hill, Elk Point, Kingsbury, and Stateline in the
8 cemeteries in the district if all of the following apply:

9 (a) The Happy Homestead Cemetery District Board of Trustees
10 determines that the district’s cemeteries have adequate space for
11 the foreseeable future.

12 (b) The district has an endowment care fund that requires a
13 contribution for every interment of at least the minimum amount
14 set pursuant to Sections 8738, 9065, and 9068.

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

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