

**Introduced by Senator Nielsen**

February 11, 2016

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An act to add Section 9063.6 to the Health and Safety Code, relating to public cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

SB 1009, as introduced, Nielsen. Public cemeteries: nonresidents.

Existing law, 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. Existing law limits interments in public cemetery district cemeteries to residents of the district and nonresidents who meet specified criteria.

This bill would authorize a district that serves at least one county with a population of fewer than 10,000 residents or that has a population not exceeding 20,000 and is contained in a nonmetropolitan area, to inter a person who is not a resident of the district in a cemetery owned by the district if specified criteria are met, including that the district requires the payment of a nonresident fee and the board of trustee determines that the cemetery has adequate space for the foreseeable future.

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 9063.6 is added to the Health and Safety
- 2 Code, to read:
- 3 9063.6. (a) Notwithstanding Section 9060 and subject to the
- 4 limitations set forth in subdivision (b), a district that serves at least

1 one county that is located in a rural area, as defined in Section  
2 50101, may inter a person who is not a resident of the district or  
3 who does not pay property taxes on property located in the district  
4 in a cemetery owned by the district, and who does not qualify for  
5 that interment pursuant to Section 9061, if all of the following  
6 apply:

7 (1) The district requires the payment of a nonresident fee set  
8 pursuant to Section 9068.

9 (2) The board of trustees determines that the cemetery has  
10 adequate space for the foreseeable future.

11 (3) The district has an endowment care fund that requires at  
12 least the minimum payment set pursuant to Section 9065.

13 (b) A district may inter up to a total of 400 nonresidents, not to  
14 exceed 40 each per calendar year.

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