

By Senator Flores

37-00356-14

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1 A bill to be entitled
2 An act relating to cemeteries; amending s. 497.260,
3 F.S.; revising the exemptions to ch. 497, F.S.,
4 relating to cemeteries, to include certain religious-
5 institution-owned cemeteries; amending s. 497.452,
6 F.S.; deleting obsolete provisions; conforming a
7 provision to changes made by the act; providing an
8 effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (j) is added to subsection (1) of
13 section 497.260, Florida Statutes, to read:

14 497.260 Cemeteries; exemption; investigation and
15 mediation.—

16 (1) The provisions of this chapter relating to cemeteries
17 and all rules adopted pursuant thereto shall apply to all
18 cemeteries except for:

19 (j) A religious-institution-owned cemetery, including all
20 associated columbaria and mausoleums, consisting of 50 acres or
21 less if the religious institution:

22 1. Limits burial rights within the cemetery to members of
23 the religious institution and their families; and

24 2. Maintains escrowed funds sufficient to cover maintenance
25 costs and preneed agreements.

26 Section 2. Subsection (4) of section 497.452, Florida
27 Statutes, is amended to read:

28 497.452 Preneed license required.—

29 (4) ~~The provisions of~~ This section does ~~de~~ not apply to

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30 religious-institution-owned cemeteries exempt under s.
31 497.260(1)(d) or (j), ~~in counties with a population of at least~~
32 ~~960,000 persons on July 1, 1996,~~ with respect to the sale to the
33 religious institution's members and their families of interment
34 rights, mausoleums, crypts, cremation niches, cremation
35 interment containers, vaults, liners, urns, memorials, vases,
36 foundations, memorial bases, floral arrangements, monuments,
37 markers, engraving, and the opening and closing of interment
38 rights, mausoleums, crypts, cremation niches, and cremation
39 interment containers, if such cemeteries ~~have engaged in the~~
40 ~~sale of preneed contracts prior to October 1, 1993,~~ and maintain
41 a positive net worth at the end of each fiscal year of the
42 cemetery.

43 Section 3. This act shall take effect July 1, 2014.