

SECOND REGULAR SESSION

# HOUSE BILL NO. 1567

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KELLEY (127).

3382H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 214.020, RSMo, and to enact in lieu thereof one new section relating to public cemetery perpetual care funds.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 214.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 214.020, to read as follows:

214.020. **1.** Any town, city, or village in the state of Missouri which now owns or may hereafter acquire any cemetery, may by ordinance establish a fund for the preservation, care, upkeep, and adornment of such cemetery, such fund to be known as "Perpetual Care Cemetery Fund", and may accept and acquire by gift or donation, money or funds to be placed to the credit of such perpetual care cemetery fund. Such town, city, or village may also deposit in such fund a portion of the income derived from the sale of lots in such cemetery as shall be determined by ordinance of such town, city, or village. Such moneys and funds so placed in such perpetual care cemetery fund shall be invested from time to time in bonds of the United States government or of the state of Missouri, or may be placed in any bank or savings and loan association which is authorized to do business in this state so long as the funds so deposited are protected by federal deposit insurance.

**2. (1)** The **net income** ~~[therefrom]~~ **from the fund** shall be expended by such town, city, or village for the preservation, care, upkeep, and adornment of such cemetery, for the repurchasing of cemetery lots previously sold, and for no other purpose whatsoever.

**(2)** The principal of said perpetual care cemetery fund shall not be encroached upon for any purpose whatsoever ~~[and]~~ **unless the net income from the fund is insufficient for the preservation, care, upkeep, or adornment of a cemetery, in which case the town, city,**

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **or village may use only as much of the fund's principal as the governing body of the**  
19 **town, city, or village deems necessary to maintain and control the growth of grass and**  
20 **weeds.**

21 (3) No money shall be transferred out of such perpetual care cemetery fund except for  
22 the purposes of being invested as provided for in this section, **for the preservation, care,**  
23 **upkeep, and adornment of a cemetery,** and for the repurchasing of cemetery lots previously  
24 sold.

25 3. The city council of the various towns, cities, or villages which shall establish such  
26 perpetual care cemetery fund shall by ordinance accept any gift or donation to such fund, and  
27 shall by said ordinance direct the treasurer of said town, city or village to place such money or  
28 funds to the credit of such perpetual care cemetery fund. Such city council shall have all the  
29 necessary authority by ordinance to invest such funds as provided for in this section.

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