

2013 -- S 0880

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LC02373
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO TOWNS AND CITIES - COUNCILS AND GOVERNING BODIES

Introduced By: Senator Louis P. DiPalma

Date Introduced: April 25, 2013

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-5-11 of the General Laws in Chapter 45-5 entitled "Councils and
2 Governing Bodies" is hereby amended to read as follows:

3 **45-5-11. Burial lands and funds.** -- (a) Town councils may take and hold, to them and
4 their successors in office, all lands within their towns, conveyed to them in trust for burial
5 purposes and, in like manner, may receive, hold, and manage all funds conveyed to them for the
6 purpose of ornamenting or keeping in repair these burial lots within their towns, and execute the
7 trusts in accordance with the terms contained in the instruments of conveyance. Funds received,
8 or already received, may be placed in a general burial lot fund and this fund may be invested in
9 securities which are legal for investment of funds of savings banks in this state. The earnings of
10 this fund shall be apportioned to the various individual trusts in the proportion each trust,
11 including any undisbursed earnings, bears in relation to the total of the general burial lot fund.
12 Funds received or already received for the purpose of ornamenting or keeping in repair burial lots
13 in town-owned cemeteries may be placed in a general burial lot fund, and this fund may be
14 invested in securities which are legal for investment of funds of savings banks in this state. The
15 earnings of this fund shall be apportioned to the individual trusts in the proportion that the
16 principal of each trust bears in relation to the total principal in the general burial lot fund.

17 (b) Effective July 1, 1976, the town of Bristol shall not apportion the earned income of
18 the fund, and it shall be used for maintenance of the entire burial ground.

19 (c) Effective July 1, 1979, the towns of Tiverton and Richmond shall not apportion the

1 earned income of their respective funds, and it shall be used for maintenance of their entire burial
2 grounds.

3 [\(d\) Effective July 1, 2013, the town of Middletown shall not apportion the earned income](#)
4 [of the fund, and it shall be used for maintenance of the entire burial ground.](#)

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would exempt Middletown from the requirement to apportion the earned income
2 from the peripheral care fund to individual burial lots, and would allow Middletown to use earned
3 income for maintenance of the entire burial ground.

4 This act would take effect upon passage.

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