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CEMETERY TRUST ACCOUNTS

House Bills 5828-5831

Sponsor: Rep. Mickey Mortimer

Committee: Local Government and Urban
Policy

Complete to 6-14-00

A SUMMARY OF HOUSE BILLS 5828-5831 AS INTRODUCED 5-23-00

House Bills 5828 - 5831 would amend various acts to allow local units of government to invest the funds they hold for cemetery maintenance in the manner authorized for other funds within the jurisdiction. The four bills are tie-barred so that none could become law unless all were enacted.

House Bill 5828 would amend Public Act 215 of 1937 (MCL 128.2), which authorizes two or more municipalities to form a nonprofit corporation as a cemetery authority, to invest the funds that the authority acquires for cemetery maintenance in the manner authorized for other funds of the municipalities that form the nonprofit corporation.

House Bill 5829 would amend Public Act 81 of 1903 (MCL 128.82), which provides for counties to care for and preserve cemetery lots, to specify that the county could invest its cemetery fund in the manner authorized by the county for other county funds.

House Bill 5830 would amend Public Act 113 of 1915 (MCL 128.61), which prescribes the powers and duties of township boards and the legislative bodies of cities and villages with relation to the care of cemeteries, to specify that the money deposited with the township board would be invested in the manner utilized for other township funds.

House Bill 5831 would amend Public Act 95 of 1909 (MCL 128.72), which authorizes township boards of trustees to receive and hold in trust property that is left to the board for the upkeep of cemetery lots. The bill would allow the gifts, grants, or bequests to be invested as a permanent fund in the manner the board utilizes for other township funds. Currently under the law, the income cannot be used or appropriated for other than the purposes expressed in the trust, except the paying of the clerk of the board for the services in carrying out the provisions of the trust, in an amount determined by the board. House Bill 5831 would expand that provision to allow payment to the clerk of the board "or other appropriate person".

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.