

**PREPAID FUNERAL AND CEMETERY SALES ACT (EXCERPT)**  
**Act 255 of 1986**

**328.213 Definitions; B to D.**

Sec. 3.

As used in this act:

- (a) "Burial right" means a right of earth interment.
- (b) "Casket" means any box or container consisting of 1 or more parts in which a dead human body is placed before interment, entombment, or cremation that may or may not be permanently interred, entombed, or cremated with the dead human body. Casket includes a permanent interment or entombment receptacle designed or intended for use without a vault.
- (c) "Catafalque" means an ornamental or decorative object or structure placed beneath, over, or around a casket, vault, or a dead human body before final disposition of the dead human body.
- (d) "Cemetery" means 1, or a combination of more than 1, of the following:
  - (i) A burial ground for earth interments.
  - (ii) A mausoleum for crypt entombments.
  - (iii) A crematory for the incineration of human remains.
  - (iv) A columbarium for the inurnment of cremated remains.
- (e) "Cemetery burial vault or other outside container" means a box or container used solely at the place of interment to permanently surround or enclose a casket and to support the earth above the casket after burial. Cemetery burial vault or other outside container does not include a catafalque, a combination unit, or any product designed or intended to be used with a catafalque or combination unit.
- (f) "Cemetery merchandise" means merchandise described in section 4(1)(k)(i).
- (g) "Cemetery services" means cremations, grave openings and closings, and installation of grave memorials.
- (h) "Columbarium" means a building or other aboveground structure that is affixed to land and is a permanent repository for cremated human remains.
- (i) "Combination unit" means any product consisting of a unit or a series of units designed or intended to be used together as both a casket and as a permanent burial receptacle.
- (j) "Consideration" or "contract price" means money and other property to be paid as total compensation to a contract seller or provider for the funeral or cemetery services or merchandise, or both, to be performed or furnished under a prepaid contract, late payment penalties, payments required to be made to a governmental agency at the time the contract is entered into, and income earned on the funds. Money paid for the services to be performed under a prepaid contract may be paid in a lump sum or in installments.
- (k) "Contract beneficiary" means an individual specified or implied in a prepaid contract for whom the funeral or cemetery services or merchandise shall be performed or furnished after death.
- (l) "Contract buyer" means an individual, including a contract beneficiary, who purchases merchandise or funeral or cemetery services pursuant to a prepaid contract.
- (m) "Contract seller" means a person who sells, makes available, or provides prepaid contracts.
- (n) "Crypt" means a chamber in a mausoleum of sufficient size to entomb the uncremated remains of a deceased person.
- (o) "Department" means the department of labor and economic growth.

**History:** 1986, Act 255, Eff. July 1, 1987 ;-- Am. 2004, Act 21, Eff. Jan. 1, 2005

**Compiler's Notes:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.