

CEMETERY REGULATION ACT (EXCERPT)
Act 251 of 1968

456.522 Definitions.

Sec. 2.

As used in this act:

- (a) "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 cremation of human remains.
 - (iv) A columbarium for the inurnment of cremated remains.
- (b) "Interment" means the disposition of human remains by earth interment, entombment, or inurnment.
- (c) "Burial right" means a right of earth interment.
- (d) "Entombment right" means the right of crypt entombment in a mausoleum or in an aboveground vault.
- (e) "Columbarium right" means the right of inurnment in a columbarium for cremated remains.
- (f) "Mausoleum" means a building or other aboveground structure that is affixed to land and is a permanent repository for human remains.
- (g) "Crypt" means a chamber in a mausoleum of sufficient size to entomb the uncremated remains of a deceased person.
- (h) "Columbarium" means a building or other aboveground structure that is affixed to land and is a permanent repository for cremated human remains.
- (i) "Crematory" means a building or structure, within which the remains of deceased persons are or are intended to be cremated.
- (j) "Cremation" means the incineration of the body of the deceased person.
- (k) "Cemetery commissioner" or "commissioner" means the director of the department of labor and economic growth or a designee of the director.
- (l) "Endowment and perpetual care" means all general work necessary to keep the cemetery property in a presentable condition at all times, including, but not limited to, the cutting of grass at reasonable intervals; the raking, cleaning, filling, seeding, and sodding of graves; the replacement, pruning, or removal of shrubs and trees in order to assure access to interment rights; and the repair and maintenance of enclosures, buildings, drives, walks, and the various memorial gardens.
- (m) "Merchandise trust" means trusts required by section 16, composed of deposits made in connection with merchandise and service sales made prior to January 1, 2005.
- (n) "Municipal corporation" means a county, city, village, or township.
- (o) "Regulated financial institution" means a state or nationally chartered bank, savings and loan association or savings bank, credit union, trust company, or other state or federally chartered lending institution or a regulated affiliate or regulated subsidiary of any of these entities.
- (p) "Person" means an individual, group of individuals, sole proprietorship, partnership, limited liability company, association, corporation, government agency, cemetery, or a combination of these legal entities.
- (q) "Good moral character" means that term as defined and determined under 1974 PA 381, MCL 338.41 to 338.47.
- (r) "Cemetery owner" means the person who has title to the cemetery.
- (s) "Operator" means any of the following:
 - (i) A person, an officer of a person, a partner of a person, or a member or manager of a limited liability company, who holds more than 50% voting rights in a cemetery owner.
 - (ii) A person who is a member of the board of directors of a cemetery owner, a partner in a cemetery owner, or a member or manager of a limited liability company that is a cemetery owner.
 - (iii) An administrative official of the cemetery owner or the person described in subparagraph (i), comparable to a chief administrative officer, chief executive officer, or chief financial officer.
- (t) "Affiliated person" means a person directly or indirectly controlling the cemetery and includes all of the following:
 - (i) A person who holds at least a 50% interest in a cemetery.
 - (ii) A person who is a member of the board of directors or a cemetery owner, a partner in a cemetery owner, or a member or manager of a limited liability company that is a cemetery owner.
 - (iii) A person who is an officer of the person who holds at least a 10% interest in a cemetery corporation or other entity having control of the cemetery.

History: 1968, Act 251, Eff. Sept. 15, 1968 ;-- Am. 1972, Act 290, Imd. Eff. Oct. 30, 1972 ;-- Am. 1978, Act 290, Eff. July 10, 1978 ;--

Am. 1982, Act 132, Imd. Eff. Apr. 20, 1982 ;-- Am. 2004, Act 22, Eff. Jan. 1, 2005 ;-- Am. 2008, Act 478, Imd. Eff. Jan. 12, 2009

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.