

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

**HOUSE BILL 210
RATIFIED BILL**

AN ACT DEFINING CARE AND MAINTENANCE OF CEMETERIES LICENSED BY THE CEMETERY COMMISSION, AUTHORIZING THE CEMETERY COMMISSION TO PROMULGATE MINIMUM STANDARDS FOR THE CARE AND MAINTENANCE OF CEMETERIES AND IMPOSE PENALTIES FOR VIOLATIONS OF THOSE STANDARDS, AND REQUIRING ANNUAL FINANCIAL REPORTS TO INCLUDE DETAILS OF THE CARE AND MAINTENANCE PERFORMED AT CEMETERIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 65-48 is amended by adding a new subdivision to read:

"(2a) "Care and maintenance" means all general work necessary to keep the cemetery property in a presentable condition at all times, including 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."

SECTION 2. G.S. 65-53 reads as rewritten:

"§ 65-53. Powers.

In addition to other powers conferred by this Article, the Cemetery Commission shall have the following powers and duties:

...

(7a) To promulgate rules and regulations establishing minimum standards for the care and maintenance of cemeteries. The rules and regulations shall provide that if, after an investigation conducted as authorized by subdivision (3) of this section, the licensee is found in violation of the minimum standards for care and maintenance, the Commission in collaboration with the North Carolina Cemetery Association may, in addition to revoking or suspending the license of the licensee, as authorized by subdivision (3) of this section, impose a civil penalty of fifty dollars (\$50.00) to be recovered in a civil action in the nature of debt if the licensee does not pay the penalty within a prescribed period of time which shall not exceed 30 days. Each day's continuing violation shall be a separate and distinct offense; provided, however, before a penalty may be imposed under this subdivision, the Commission shall give the licensee at least 10 days' notice in writing stating the alleged violation of the minimum standards for care and maintenance and giving the licensee an opportunity within the 20-day period following the issuance of the notice to cure the violation. The clear proceeds of civil penalties imposed pursuant to this subdivision shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

...."

SECTION 3. G.S. 65-62 reads as rewritten:

"§ 65-62. Individual contracts for care and maintenance.



At the time of making a sale or receiving the initial deposit hereunder, the cemetery company shall deliver to the person to whom such sale is made, or who makes such deposit, an instrument in writing which shall specifically state that the net income of the care and maintenance trust fund shall be used solely for the care and maintenance of the cemetery, for reasonable costs of administering such care and maintenance and for reasonable costs of administering the trust fund. Within 60 days after the end of the calendar or fiscal year of the cemetery company, the cemetery company shall furnish adequate reports with the details of the care and maintenance work performed on forms provided by the Commission."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2025.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Donna McDowell White
Presiding Officer of the House of Representatives

Josh Stein
Governor

Approved _____m. this _____ day of _____, 2025