

ACT 14

H. B. 11.

A Bill for an Act Relating to Cemeteries and Amending Chapter 171B, Revised Laws of Hawaii 1955.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Legislation enacted in 1967 to regulate cemeteries has created difficulties, particularly with respect to monetary requirements, for certain non-profit cemeteries that are not actively engaged in the business of selling cemetery property. Remedial legislation is urgent to provide limited exemptions for such non-profit cemeteries while at the same time preserving the public interest by continuing to provide by law for the protection of families that have loved ones buried in these cemeteries.

SECTION 2. The first sentence of section 171B-22, Revised Laws of Hawaii 1955, is hereby amended to read as follows:

“Each cemetery authority licensed hereunder, except as otherwise provided in section 171B-22.5, shall file and maintain with the board a bond in the penal sum of \$50,000, issued by a surety company authorized to do business in the State, and running to the State.”

SECTION 3. Chapter 171B, Revised Laws of Hawaii 1955, is hereby amended by adding a new section to read as follows:

“**§ 171B-22.5. Exemption.** The board shall exempt any cemetery authority from the bonding requirement and the fee requirements for license, renewal and reinstatement upon proof satisfactory to the board that it does not actively engage in pre-need sales or have a cemetery salesman required to be licensed under section 171B-25, or sell for financial profit.”

SECTION 4. The first sentence of subsection 171B-31 (a), Revised Laws of Hawaii 1955, is hereby amended to read as follows:

“(a) The fee for a cemetery authority license, annual renewal thereof and reinstatement of a suspended license, except as otherwise provided in section 171B-22.5, shall be \$200.”

SECTION 5. This Act shall take effect upon its approval.
(Approved April 26, 1968.)