

A Bill for an Act Relating to Cemeteries.

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

SECTION 1. Section 441-22, Hawaii Revised Statutes, as amended, is further amended to read as follows:

**“Sec. 441-22. Bond.** Each cemetery or pre-need funeral authority licensed hereunder, except as otherwise provided in section 441-22.1, shall file and maintain with the cemetery board a bond (a) in the penal sum of \$50,000 for each new license, and for the renewal of a license for a cemetery or pre-need funeral authority whose gross income as a cemetery or pre-need funeral authority for the taxable year preceding the year of renewal totalled \$50,000 or more, and (b) in the penal sum of \$5,000 for any other cemetery authority, all of such bonds to be issued by a surety company authorized to do business in the State, and running to the State. The bond shall be conditioned that the cemetery or pre-need funeral authority will faithfully, promptly, and truly account and pay over to all persons to or for whom it may sell, lease or otherwise deal in cemetery property pre-need interment or pre-need funeral services all sums of money that may properly be due them. In addition to any other remedy, every person sustaining any damage resulting from a breach of the conditions of the bond may sue the surety for the recovery of any damages sustained by such person. The liability of the surety shall not exceed \$50,000 or \$5,000 as the case may be, for each licensee. The bond shall be continuous in form and remain in full force and effect and shall run concurrently with the license pe-

riod and for any renewals thereof, unless terminated or canceled by the surety. Termination or cancellation shall not be effective, unless notice thereof is delivered by the surety to the board at least sixty days prior to the date of termination or cancellation. The board shall forthwith give notice thereof to the cemetery or pre-need funeral authority affected by the termination or cancellation, which notice shall be by registered or certified mail, with request for return receipt, and shall be addressed, to the licensees at the addresses shown on the records of the board. The license of any licensee shall be suspended upon termination or cancellation of the bond, unless prior thereto, a new bond has been filed with the board. The form of the bond shall be approved by the board.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 3. This Act shall take effect upon its approval.  
(Approved July 11, 1970.)

---

\* Edited accordingly