



Senate Fiscal Agency
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House Bill 5172 (as passed by the House)
Sponsor: Representative John Stakoe
House Committee: Commerce
Senate Committee: Local, Urban and State Affairs

Date Completed: 12-10-03

CONTENT

The bill would amend the Cemetery Regulation Act to include a cemetery in receivership on July 26, 2002, in provisions that allow a receiver or conservator of a cemetery to convey the cemetery.

Under the Act, if a person or registrant has violated the Act, an action may be brought in circuit court to enforce compliance. The court may grant a permanent or temporary injunction or restraining order, and appoint a receiver or conservator. Public Act 550 of 2002 amended the Act to authorize a receiver or conservator to take possession of the assets and sell, assign, transfer, or convey a cemetery to a municipal corporation or other person, under conditions prescribed by the court, in order to discharge outstanding contractual obligations. (A cemetery may not be transferred to a mortuary science licensee or a person who owns, manages, supervises, operates, or maintains a funeral establishment.) Public Act 550 took effect on July 26, 2002.

MCL 456.529

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Maria Tyszkiewicz

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