



Rep. Robert Martwick

Filed: 5/17/2019

10100SB1464ham001

LRB101 09433 LNS 60712 a

1 AMENDMENT TO SENATE BILL 1464

2 AMENDMENT NO. _____. Amend Senate Bill 1464 on page 5,
3 immediately below line 10, by inserting the following:

4 "(9.5) funds on deposit or held in trust pursuant to
5 Section 16 of the Pre-Need Cemetery Sales Act attributable
6 to undelivered cemetery merchandise and unperformed
7 cemetery services, including undistributed interest earned
8 thereon, 2 years after the earlier of:

9 (A) the later of:

10 (i) the date the seller in the ordinary course
11 of its business receives notice or an indication of
12 the death of the beneficiary; or

13 (ii) 10 years after the death of the
14 beneficiary if the beneficiary is cremated and the
15 purchaser or the heir or assign, or a duly
16 authorized representative of the purchaser or the
17 beneficiary, has not indicated an interest in the
18 trust funds;

1 (B) the date the beneficiary has attained, or would
2 have attained if living, the age of 105 if both the
3 trustee and the seller do not know whether the
4 beneficiary is deceased; or

5 (C) 50 years after the pre-need contract was
6 executed, unless the purchaser or the heir or assign,
7 or a duly authorized representative of the purchaser or
8 the beneficiary, has indicated an interest in the
9 property more than 50 years after the pre-need contract
10 was executed, in which case, 3 years after the last
11 indication of interest by the purchaser or the heir or
12 assign, or a duly authorized representative of the
13 purchaser or the beneficiary;"; and

14 on page 9, immediately below line 16, by inserting the
15 following:

16 "Section 99. Effective date. This Act takes effect upon
17 becoming law."