

CHAPTER 4. CEMETERY COMPANIES

§ 201. Incorporation required

It is unlawful for any corporation, partnership, firm, trust, association, or individual to engage in or transact any of the business of a cemetery within this state except by means of a corporation authorized to operate a cemetery. The corporation shall engage in the cemetery business in this state only if it has received a certificate of authority from the board pursuant to the provisions of Chapter 2 of this Title. The provisions of this Section shall not apply to a family burial ground as defined in R.S. 8:1(22).

Acts 1974, No. 417, § 1. Amended by Acts 2015, No. 222, § 1.

§ 202. Corporations; how organized

Any private corporation authorized by its articles so to do may establish, maintain, manage, improve, or operate a cemetery, and conduct any or all of the businesses of a cemetery either for or without profit to its members or stockholders. A nonprofit corporation or a profit corporation may be organized in the manner provided in the general corporation laws of this state.

Acts 1974, No. 417, § 1.

§ 203. Prior operations not affected

The requirement in R.S. 8:201 shall not apply to any cemetery authority that is in existence and operating on July 31, 1974, and any such cemetery authority may continue to operate despite the fact that it may be owned and operated at the time by a corporation, partnership, firm, trust, association, or individual.

Acts 1974, No. 417, § 1. Amended by Acts 2014, No. 88, § 1.

§ 204. Specific powers; rule making and enforcement

A cemetery authority may make, adopt, amend, added to, revise, repeal, or modify, and enforce rules and regulations for the use, care, control, management, restriction, and protection of all or any part of its cemetery, including without limitation the following:

- (1) It may restrict and limit the use of all property within its cemetery.
- (2) It may regulate the uniformity, class, and kind of all markers, monuments and other structures within the cemetery and its subdivisions.
- (3) It may regulate or prohibit the erection or installation of monuments, markers, effigies, structures, and foundations within the cemetery.
- (4) It may regulate or prevent the introduction or care of plants or shrubs within the cemetery.
- (5) It may prevent interment in any part of the cemetery of human remains not entitled to interment and prevent the use of interment spaces for purposes violative of its restrictions or rules and regulations.

(6) It may regulate the conduct of persons and prevent improper assemblages in the cemetery.

(7) It may make and enforce rules and regulations for all other purposes deemed necessary by the cemetery authority for the proper conduct of the business of the cemetery, for the transfer of any interment space or the right of interment, and the protection and safeguarding of the premises, and the principles, plans, and ideals on which the cemetery is conducted.

Acts 1974, No. 417, § 1. Amended by Acts 2022, No. 574, § 1.

§ 205. Rules and regulations; posting

The rules and regulations made pursuant to R.S. 8:204 shall be plainly printed or typewritten and maintained subject to inspection in the office of the cemetery authority.

Acts 1974, No. 417, § 1.

§ 206. Contracts required; disclosure

A cemetery authority offering to provide burial rights or a cemetery authority or other entity offering cemetery related merchandise and services shall provide to the customer, upon purchase, a written contract which complies with the requirements set forth in this Title and the rules and regulations of the Louisiana Cemetery Board.

Acts 2008, No. 188, § 1.