

**367.946 Registration of person selling cemetery merchandise and every cemetery company -- Fee -- Annual report.**

- (1) Every person engaged in the sale of any preneed cemetery merchandise contract and cemetery company, hereinafter referred to as registrants, shall register with the Attorney General at least thirty (30) days prior to commencing to do business. Such registration shall be on forms provided by the Attorney General and shall contain at least the following information.
  - (a) The name and location of the cemetery;
  - (b) The size and type;
  - (c) The names, addresses, and other relative information concerning the owners, officers, and directors;
  - (d) Identification, location, and total amounts deposited in the perpetual care and merchandise trust funds;
  - (e) Types of services and merchandise sold and whether at need or preneed.
- (2) Every registrant shall, within sixty (60) days of any material change of any item required to be reported hereunder, notify the department of such change.
- (3) Every registrant shall pay a filing fee of fifty dollars (\$50) with its application.
- (4) Every registrant shall file an annual report on a form provided by the Attorney General containing information as the Attorney General may reasonably require, but at least the following:
  - (a) The total amount deposited in the perpetual care and maintenance trust fund, and a listing of the total number of grave spaces, underground crypts, mausoleums, and niches sold within the last twelve (12) months and the gross selling price of each;
  - (b) The total amount deposited in the cemetery merchandise trust fund account, and a listing of the total number of the different cemetery merchandise sold within the last twelve (12) months and the retail selling price of each; and
  - (c) The total amount deposited in the preconstruction trust fund accounts, and a listing of the total number of mausoleum crypts, niches, and underground crypts sold within the last twelve (12) months and the retail selling price of each and current balance.
- (5) Every such report shall be verified by the registrant and shall be attested to by any other person preparing the same.
- (6) Such reports shall not be available to the general public and shall be used only for the lawful purpose of the Attorney General's office.
- (7) A ten dollar (\$10) fee shall be paid to the office of the Attorney General by each registrant filing an annual report.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 305, sec. 3, effective July 14, 1992. -- Repealed, reenacted, and amended as KRS 367.946, 1984 Ky. Acts ch. 116, sec. 10, effective July 13, 1984. -- Created 1976 Ky. Acts ch. 294, sec. 3.

**Formerly codified as** KRS 307.110.