

367.962 Allocation of payments -- Increase of gross sale price prohibited.

- (1) Whenever any contract for sale shall be entered into in which items of cemetery merchandise and rights to interment, inurnment or entombment are included, without allocation of the gross sale price among the items sold, the application of payments received under the contract shall be allocated, first to the right to interment, inurnment or entombment, second to items of cemetery merchandise relating to memorialization and third, to items relating to the disposition of the remains of a dead human being, including preneed funeral merchandise and services, unless some other allocation is clearly provided in the contract.
- (2) Any person engaging in a combination sale which involves the sale of any item in addition to the sale of cemetery merchandise or a combination sale which involves the sale of any item in addition to the sale of rights to interment, inurnment or entombment shall be prohibited from increasing the gross sales price of those items which require the lesser trust fund deposit with the purpose of allocating a lesser gross sales price to items which require a higher trust fund requirement.

Effective: July 13, 1984

History: Repealed, reenacted, and amended as KRS 367.962, 1984 Ky. Acts ch. 116, Ky. Acts ch. 18, effective July 13, 1984. -- Created 1976 Ky. Acts ch. 294, sec. 8.

Formerly codified as KRS 307.160.