ASSEMBLY, No. 3840

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED OCTOBER 23, 2014

Sponsored by:
Assemblyman THOMAS P. GIBLIN
District 34 (Essex and Passaic)

Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)

Assemblywoman ANGELICA M. JIMENEZ
District 32 (Bergen and Hudson)

Assemblywoman SHAVONDA E. SUMTER
District 35 (Bergen and Passaic)

Assemblyman DAVID P. RIBLE
District 30 (Monmouth and Ocean)

Assemblyman CHARLES MAINOR
District 31 (Hudson)

Assemblyman PAUL D. MORIARTY
District 4 (Camden and Gloucester)

Co-Sponsored by:
Assemblymen Diegnan, Lagana, Ciattarelli, Mazzeo, Rumana, Garcia, Johnson, Mukherji, Assemblywoman Mosquera, Senators Sweeney, O'Toole, Pou, Sacco, Rice, Bateman and Sarlo

SYNOPSIS
Prohibits religious entities from engaging in certain practices involving cemeteries, funeral homes and mortuaries, memorials, mausoleums and burial vaults.

CURRENT VERSION OF TEXT
As amended on February 5, 2015 by the General Assembly pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 12/18/2014)
AN ACT concerning certain religious entities and supplementing chapter 1 of Title 16 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding the provisions of any other law, rule or regulation to the contrary, a religious corporation, association, organization or society, however formed or incorporated, that owns or controls a cemetery or that engages in the management, operation or sales of or for a cemetery, whether directly or indirectly, or the owner or operator of a religious cemetery, is prohibited from engaging, directly or indirectly, in:

   (1) the ownership, manufacture, installation, sale, creation, inscription, provision or conveyance, in any form, of memorials;

   (2) the ownership, manufacture, installation, sale, creation, provision or conveyance, in any form, of vaults, including vaults installed in a grave before or after sale and including vaults joined with each other in the ground;

   (3) the ownership, manufacture, installation, sale, creation, provision or conveyance, in any form, of a mausoleum intended for private use, which shall not include a mausoleum built for use by or sale to the general public membership of a religious organization;

   (4) the ownership or conduct of any funeral home or mortuary, or the engaging in the business or profession of funeral directing or mortuary science;

   (5) the sale, renting or leasing of any of its real property \[1\], including that which is adjacent to a cemetery or \[1\] dedicated to cemetery purposes, for the location of a funeral home or mortuary or the conduct of the business or profession of funeral directing or mortuary science; or

   (6) the entering into a management contract to authorize control of its cemetery related operations with any entity that, directly or indirectly, in this State, engages in the ownership or conduct of a funeral home or mortuary or that engages in the business or profession of funeral directing or mortuary science.

b. As used in this act:

   (1) “funeral directing,” “mortuary” and “mortuary science” shall have the same meanings as set forth in section 3 of P.L. 1952, c. 340 (C. 45:7-34); and

   (2) “mausoleum,” “memorial” and “vault” shall have the same meanings as set forth in section 2 of P.L.2003, c.261 (C.45:27-2).

2. This act shall take effect \[2\] one year following enactment\[2\].

EXPLANATION – Matter enclosed in bold-faced brackets \[thus\] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
\[1\]Assembly floor amendments adopted November 13, 2014.
\[2\]Assembly amendments adopted in accordance with Governor’s recommendations February 5, 2015.