



REPORT OF PERPETUAL CARE, ENDOWED CARE TRUST FUND FORM INSTRUCTIONS

Title 8 and the Rules of the Louisiana Cemetery Board provide:

- ❖ All perpetual or endowed care cemeteries shall submit a report to the board, on the forms prescribed by the board, within six months after the close of the cemetery authority's tax reporting year.
- ❖ For each contract written in the reporting period for the sale of interment spaces or interment rights and subject to endowment or perpetual care, the cemetery authority shall pay a report filing fee of not more than five dollars per contract for the board's reasonable and ordinary expenses. [See #2 below for current amount.] Report filing fees shall be due and payable at the time of the filing of the report. **Failure to pay the report filing fee within six months after the close of the business year shall result in a late fee of one hundred dollars.**
- ❖ All perpetual or endowed care deposits shall be delivered to the trustee not later than the thirtieth day after the close of the month of the sale or transfer of the interment space or interment right by the cemetery authority or cemetery sales/management organization. However, if the sale or transfer is financed by the seller and payments are pursuant to an installment contract, then the deposits to the trust fund must be made either:
 1. not later than the thirtieth day of the close of the month in which the contract is made; or
 2. proportionally over the term of the contract, provided that the seller maintains adequate accounting records of the installment payments and the proportionate amounts due the trust fund.
- ❖ The amount to be deposited in the trust fund shall be a minimum of 10 percent of the gross sales price received, less sales tax and interest or finance charges, if any, for the sale, transfer, or conveyance of any interment space or interment right.
 - a. Gross Sales Price Received means the price of a cemetery space, a right of interment, merchandise, service, or product before the application of any discount, rebate, or promotional offer.
- ❖ In no event shall the deposit be less than 10 percent of the fair market value of each interment space or right conveyed. Such fair market value shall be the undiscounted price of a comparable right of interment or interment space in the same cemetery, except as follows:
 - a. No deposit to the perpetual or endowed care trust fund shall be required on the discounts given on predevelopment or preconstruction interment spaces or rights of interment in a mausoleum, if the cemetery has filed with the board the required application and supporting documentation.
 - b. No deposit to the perpetual or endowed care trust fund shall be required in those instances in which a cemetery authority uses or conveys an interment space for an indigent interment, provided the space so used or conveyed is contained within a special area or section of the cemetery set aside and used solely for indigent interments.
- ❖ In the event that a contract for a cemetery space or interment right is cancelled, terminated, upgraded, or traded, the cemetery authority shall be entitled to a credit for the amount deposited and attributable to such space, provided that the cemetery authority can provide sufficient documentation, acceptable to the board, of the credit due.

1. Report must be completed in full and executed by two owners, partners, stockholders, officers, members, and/or LLC managers of the Cemetery Authority and notarized.
2. Report filing fee of \$3 is due on each contract entered into in the 2017 reporting period and subject to endowment or perpetual care. Please make check payable to the LOUISIANA CEMETERY BOARD.
3. Upon request, the Cemetery Authority shall submit to the Board such additional information and/or documentation the Board may deem necessary.

IF YOU HAVE ANY QUESTIONS REGARDING THE PREPARATION OF THE REPORT, PLEASE CONTACT THE OFFICE OF THE BOARD AT THE ADDRESS OR TELEPHONE NUMBER LISTED BELOW.

THIS REPORT AND ATTACHMENTS ARE PUBLIC RECORD EXCEPT TO THE EXTENT THEY ARE EXCEPTED, EXEMPTED, OR LIMITED BY LAW; AND THEY WILL BE FURNISHED TO PERSONS, FIRMS, ASSOCIATIONS, CORPORATIONS, ETC., MAKING A WRITTEN PUBLIC RECORDS REQUEST PURSUANT TO TITLE 44. IF APPLICANT CONSIDERS ANY SUBMISSIONS OF INFORMATION CONFIDENTIAL AND EXCEPTED, EXEMPTED OR LIMITED BY LAW, PLEASE MARK SAME ACCORDINGLY.

Louisiana Cemetery Board
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