

**NEW JERSEY REGISTER  
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RULE ADOPTIONS  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY CEMETERY BOARD**

Adopted New Rules: 13:44J-14.5 and 13:44J-14 Appendices A and B

**Sale of 17 or More Interment Spaces or Niches to a Person Other Than a Membership or Religious Corporation or Unincorporated Association or Society**

Proposed: September 18, 2006 at 38 N.J.R. 3746(a).

Adopted: December 14, 2006 by the New Jersey Cemetery Board, Frank J. DeGeeter, Jr., President

Filed: April 5, 2007 as R.2007 d.140, with technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:27-4.

Effective Date: May 7, 2007.

Expiration Date: May 2, 2011.

**Summary of Agency-Initiated Changes:**

The term "internment" in Appendices A and B has been changed to "interment." The term "company" in the signature line in Appendix B has been capitalized.

**Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the adopted new rules.

Full text of the adopted new rules follows (additions to the proposal indicated in boldface with asterisks \*thus\*; deletions from the proposal indicated in brackets with asterisks \*[thus]\*):

**13:44J-14.3 and 14.4 (RESERVED)**

**13:44J-14.5 Sale of 17 or more interment spaces or niches to a person other than a membership or religious corporation or unincorporated association or society**

(a) A cemetery company that sells 17 or more interment spaces or niches in one or more transactions to a person other than a membership or religious corporation or unincorporated association or society shall have that person sign an affidavit substantially similar to that found in subchapter Appendix A, incorporated herein by reference, which states that the person purchasing the interment spaces or niches is not purchasing for the purpose of resale. The cemetery company shall submit the affidavit to the Board within one week of the completion of the sale.

(b) A cemetery company that sells 17 or more interment spaces or niches in one or more transactions to a person other than a membership or religious corporation or unincorporated association or society shall sign an affidavit that is substantially similar to that found in subchapter Appendix B, incorporated herein by reference, which states that it does not believe that the sale to that person is for the purposes of resale. The cemetery company shall submit the affidavit to the Board within one week of the completion of the sale.

**APPENDIX A**

I certify that I, \_\_\_\_\_, am purchasing

(Purchaser's name)

\_\_\_\_\_ \*[internment]\* \*interment\* spaces

(Number of spaces or niches)

or niches from \_\_\_\_\_

(Name of Cemetery Company selling the spaces or niches)

for the use of those whom I may designate without remuneration or compensation to me in any form. I understand that resale of \*[internment]\* \*interment\* spaces or niches is prohibited by N.J.S.A. 45:27-32.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_

Purchaser's signature

**APPENDIX B**

\_\_\_\_\_ certifies

(Name of Cemetery Company selling spaces or niches)

that it has no reason to believe that \_\_\_\_\_ is purchasing

(Name of purchaser)

\_\_\_\_\_ \*[internment]\* \*interment\* spaces or niches

(Number of spaces or niches)

for the purpose of reselling any of those interment spaces or niches.

\_\_\_\_\_ certifies that it has

(Name of Cemetery Company selling spaces or niches)

informed \_\_\_\_\_ that purchasing

(Name of purchaser)

interment spaces or niches for resale is prohibited by N.J.S.A. 45:27-32.

\_\_\_\_\_ certifies that the

(Name of Cemetery Company selling spaces or niches)

foregoing statements are true. \_\_\_\_\_ is

(Name of Cemetery Company selling spaces or niches)

aware that if any of the foregoing statements made by it are willfully false, it will be subject to disciplinary action.

\_\_\_\_\_

Cemetery \*[company's]\* \*Company's\* authorized signature