

Senate Bill No. 2096

CHAPTER 68

An act to amend Section 8961.7 of the Health and Safety Code, relating to cemetery districts, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 3, 2000. Filed with Secretary of State July 3, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2096, Poochigian. Cemetery districts.

Existing law authorizes a cemetery district formed prior to 1947 to acquire a mausoleum if the mausoleum was constructed at least 10 years prior to May 1, 1947.

This bill would create an exception authorizing the Visalia Public Cemetery District to acquire a mausoleum that was originally constructed by the City of Visalia in 1965, if the cemetery district complies with specified criteria.

This bill would make legislative findings and declarations as to the necessity for a special statute.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 8961.7 of the Health and Safety Code is amended to read:

8961.7. (a) A district formed prior to the adoption of this section may acquire, and maintain a mausoleum if construction thereof was completed at least 10 years prior to May 1, 1947. However, the district may construct additions to the mausoleum for crypt entombment.

(b) Notwithstanding the provisions of subdivision (a), the Visalia Public Cemetery District may acquire and manage the mausoleum originally constructed by the City of Visalia in 1965. However, the Visalia Public Cemetery District shall comply with all other applicable provisions with respect to the operation and maintenance of the mausoleum.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the City of Visalia and the Visalia Public Cemetery District. The facts constituting the special circumstances are:



The City of Visalia desires to divest itself of the ownership of a mausoleum and the Visalia Public Cemetery District is willing to acquire and manage that mausoleum. Current law prevents the district from acquiring the mausoleum because it was originally built after the statutory deadline. There is no other private organization or public agency available to manage the city's mausoleum. Accordingly, the Legislature finds that special circumstances exist that require special legislation.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the mausoleum's uninterrupted maintenance and care by the Visalia Public Cemetery District, it is necessary that this act take effect immediately.

