

**ARKANSAS INSOLVENT CEMETERY  
GRANT FUND ACT  
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## **Insolvent Cemetery Grant Fund Act**

- 20-17-1301. Title.
- 20-17-1302. Findings and purpose.
- 20-17-1303. Insolvent cemetery grant fund.
- 20-17-1304. Powers and duties of Arkansas Cemetery Board.
- 20-17-1305. Eligibility for grants.
- 20-17-1306. Application.
- 20-17-1307. Grant payments - Amount.
- 20-17-1308. Use of grant awards.

### **20-17-1301. Title.**

This subchapter shall be known and may be cited as the “Insolvent Cemetery Grant Fund Act”.

**History.** Acts 2009, No. 429, § 3.

### **20-17-1302. Findings and purpose.**

The General Assembly finds that:

- (1) Perpetual care cemeteries provide historical and cultural benefits to the citizens of the State of Arkansas; and
- (2) A grant program should be established to provide assistance to an insolvent perpetual care cemetery for its care, maintenance, and operation.

**History.** Acts 2009, No. 429, § 3.

### **20-17-1303. Insolvent cemetery grant fund.**

An insolvent cemetery grant fund is established within the general operating fund of the Arkansas Cemetery Board for the care, maintenance, and operation of a perpetual care cemetery that has been:

- (1) Declared insolvent by a state or federal court; and
- (2) Acquired by and is controlled by a state, county, or municipal government or by a nonprofit organization as defined by § 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3).

**History.** Acts 2009, No. 429, § 3.

**20-17-1304. Powers and duties of Arkansas Cemetery Board.**

The Arkansas Cemetery Board shall:

- (1) Review and grant or deny all or part of a grant application submitted under this subchapter; and
- (2) Establish by rule:
  - (A) Criteria for grant applications and awards;
  - (B) Oversight of all grant expenditures;
  - (C) Criteria for reporting and maintaining all grant moneys and expenditures; and
  - (D) Criteria for the review of grant awards and expenditures to prevent misuse or abuse of grant money.

**History.** Acts 2009, No. 429, § 3.

**20-17-1305. Eligibility for grants.**

To be eligible to receive a grant under this subchapter a perpetual care cemetery shall:

- (1) Have been declared insolvent by a state or federal court;
- (2) Be found by the Arkansas Cemetery Board to have historic significance to the local community or the State of Arkansas; and
- (3) Be owned and controlled by a state, city, or municipal government or by a nonprofit organization as defined by § 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3).

**History.** Acts 2009, No. 429, § 3.

**20-17-1306. Application.**

The owner of an insolvent perpetual care cemetery shall apply for grant payments under this subchapter in accordance with the rules established by the Arkansas Cemetery Board.

**History.** Acts 2009, No. 429, § 3.

**20-17-1307. Grant payments - Amount.**

- (a) The Securities Commissioner shall make grant payments under this subchapter from:
  - (1) Funds appropriated by the General Assembly for that purpose; or
  - (2) Excess funds transferred under § 20-17-1025(f) to the insolvent cemetery grant fund from the insolvent cemetery loan fund.
- (b) The annual amount that the Arkansas Cemetery Board may grant to an insolvent perpetual care cemetery under this subchapter shall not exceed thirty-five thousand dollars (\$35,000).

**History.** Acts 2009, No. 429, § 3.

**20-17-1308. Use of grant awards.**

A grant award under this subchapter shall be used exclusively for the care, maintenance, and operation of an insolvent perpetual care cemetery, including without limitation the:

- (1) Sale and conveyance of lots;
- (2) Opening and closing of graves;
- (3) Preparation of financial reports and legal documents;
- (4) Maintenance of driveways and grounds;
- (5) Removal of trash and debris;
- (6) Cutting of grass; or
- (7) Necessary improvements to streets, avenues, walks, or other public grounds of the cemetery.

**History.** Acts 2009, No. 429, § 3.