

**CEMETERY OR BURIAL GROUNDS**  
**Act 215 of 1937**

AN ACT to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; and to permit municipalities to authorize the creation of joint cemetery associations.

**History:** 1937, Act 215, Imd. Eff. July 21, 1937;—Am. 1980, Act 366, Imd. Eff. Dec. 30, 1980.

*The People of the State of Michigan enact:*

**128.1 Perpetual care and maintenance of cemetery or burial lot; resolution or ordinance; payment; petition of testamentary trustee to transfer certain funds to municipality.**

Sec. 1. (1) The legislative body of a municipality owning or controlling a cemetery or burial grounds may by resolution or ordinance provide for the perpetual care and maintenance of a cemetery or burial lot upon the payment by the owner of the lot or another person of the agreed upon sum, and in consideration for which the municipality may bind itself to perpetually care for and maintain the lot.

(2) A testamentary trustee appointed by a probate court of a trust fund, the use and income from which is to be used to maintain a cemetery or burial lot, may, upon petition to the probate court which authorized his, her, or its appointment, be authorized and directed by the court to transfer the fund or funds in his or her possession in the corpus of the trust to a municipality which has complied with this section, under the provisions of the ordinance or resolution. Upon receipt of the funds filed with the probate court the testamentary trustee may be discharged from the trust.

**History:** 1937, Act 215, Imd. Eff. July 21, 1937;—CL 1948, 128.1;—Am. 1980, Act 366, Imd. Eff. Dec. 30, 1980.

**128.2 Joint cemetery authority; formation and purpose.**

Sec. 2. The legislative body of 2 or more municipalities may authorize the formation of a nonprofit corporation as a joint cemetery authority to acquire, own, operate, maintain, and sell real and personal property used for a cemetery or burial ground.

**History:** Add. 1980, Act 366, Imd. Eff. Dec. 30, 1980.

**128.3 "Municipality" defined.**

Sec. 3. As used in this act, "municipality" means a city, village, township, or county.

**History:** Add. 1980, Act 366, Imd. Eff. Dec. 30, 1980.