

1983 Senate Bill 315

Date of enactment: May 10, 1984
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1983 Wisconsin Act 448

AN ACT to amend 445.125 (1) (a) and (e) of the statutes, relating to burial agreements and the sale of funeral merchandise.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 445.125 (1) (a) and (e) of the statutes are amended to read:

445.125 (1) (a) Whenever any a person, referred to in this section as the depositor, makes an agreement with ~~a funeral director, cemetery organization or any other~~ another person selling or offering for sale funeral or burial merchandise or services, referred to in this section as the beneficiary, for the purchase of a casket, burial vault not interred in a grave, combination casket-vault or other receptacle not described in par. (e) for the interment, entombment, cremation or other disposition of human remains or for the furnishing of funeral or burial services, either of which is intended to be provided for the final disposition of the body of a person, referred to in this section as the potential decedent, wherein the use of such personal property ~~under a prearranged funeral plan~~ or the fur-

nishing of such services of a funeral director or embalmer in connection therewith is not immediately required, all payments made under the agreement shall be and remain trust funds, including interest and dividends if any, until occurrence of the death of the potential decedent, unless the funds are sooner released upon demand to the depositor, after written notice to the beneficiary.

(c) Nothing in this section ~~shall prevent~~ prevents the sale and delivery of cemetery lots, graves, ~~crypts~~ burial vaults preinterred in a grave, cremation urns, crypt spaces, niches, columbaria or grave or lot markers or monuments before their use is required. Nothing in this section prevents the preconstruction sale of crypt spaces to be permanently installed.
