

<u>State or Province</u>	<u>% Merchandise</u>	<u>Warehousing/Constructive Delivery</u>	<u>% Services</u>	<u>% Cash Advance Items</u>	<u>% Preconstruction</u>	<u>Perpetual Care/Endowment Care Assessment</u>
Alabama	outer burial containers (including vaults) – 60% of contract purchase price; all other merchandise 110% of wholesale cost. Trust deposit due within 30 days after end of calendar month in which contract paid in full.	allowed on merchandise comprised of materials designed to withstand prolonged, protected storage without deterioration if placed in storage with a responsible third party bonded and insured for wholesale value; specific receipt requirements imposed.	60% of contract purchase price - trust deposit due within 30 days after end of calendar month in which contract paid in full.	100% of contract purchase price - trust deposit due within 30 days after end of calendar month in which contract paid in full.	None required. Unless otherwise specified in contract, pre-sale purchaser entitled to full refund plus interest if pre-payments deposited in trust or refund plus interest provided by statutory formula if not deposited in trust if construction of mausoleum or below-ground crypt not commenced within first to occur of 75% of spaces sold or 5 years, or completed within 6 years of first sale date.	15% of sale price – grave space or lawn crypt space; 5% of sale price of mausoleum crypt or niche; 100% of contributions designated for special care for particular family. Trust deposit required within 4 months after close of month in which total or final payment received.
Alaska						
Alberta	100% of the retail purchase price, less an administrative fee of up to 15%.	\$0 has to be trusted if the item purchased is "warehoused" within 180 days of the contract. If not complete within 180 days, 100% of the retail less an administrative fee of up to 15%, until the item can be supplied.	100% of the retail purchase price, less an administrative fee of up to 15%.			Commercial cemeteries only: 15% of all money received from the sale, lease or rental of a lot in a cemetery and of each compartment or space in a mausoleum or columbarium. 10% of all money received from the sale of each monument or marker.
Arizona						\$2.75 per square foot for each grave. \$36.00 for each niche. \$120.00 for each crypt.

Arkansas	100%	100%	100%	if the prices are guaranteed 0% needs to be trusted, if prices are not guaranteed 100% in escrow	100% escrow	20%
British Columbia	80%+ of retail purchase price	80%+ of retail purchase price	80%+ of retail purchase price	80%+ of retail purchase price	80%+ Special contract disclosures required.	10% interment right cost for niche 25% interment right cost for burial plot of crypt \$10 for each memorial
California	100%		100%			\$2.25 Per Sq. Foot of grave space; \$35.00 per Niche; \$110.00 per Crypt.
Colorado	75%		75%			
Connecticut						
Delaware	100%		100%			
Florida	greater of 110% wholesale or 30% retail		70%	100%	110% wholesale	10% mausoleum burial spaces the greater of 10% of retail price or \$25
Georgia	Monuments & outer burials are 35% of sales price or 110% of wholesale price, whichever is greater; other merchandise is 100% of sales price or 110% of wholesale	Not allowed.	100% of sale price	100% of sale price	cost of project plus 10% divided by number of crypts or niches	15% of sale price of burial right or 7.5% of sale price of mausoleums with minimum deposit effective 7/1/06 of \$55.75
Hawaii	70%	n/a	70%	n/a	n/a	at least \$1 per square foot of interment space; \$50 for each mausoleum crypt; \$15 for each niche.
Idaho	At least 85%		At least 85%			10% of sales price for graves; \$5.00 for Niches; \$25.00 for Crypts

Illinois	50% cemetery merchandise 85% burial vaults		50% cemetery services			
Indiana	100/90/10% option @ discretion of property owner	Yes	100/90/10% option @ discretion of property owner	100/90/10% option @ discretion of property owner	8% of the collected sales price is placed in the endowment.	15% or .80 per sqft for burial space/mausoleum or \$100.00 per crypt. Minimum of \$20.00 per niche
Iowa	80% of retail purchase price	Only for monuments & memorials & certain outer burial containers	80% of retail purchase price		80% of retail purchase price	20% with \$50 minimum
Kansas	Cemetery keeps 35% of retail, then must deposit 110% of wholesale costs which are re-evaluated annually and trued up to 110% of the new wholesale cost.		100% of opening and closing		110% of wholesale costs for pre-construction of mausoleum and niches	15% of retail price with a \$25 minimum
Kentucky	40% of all payments for cemetery merchandise, which within 6 months of the contract date is not delivered by attachment to the realty or stored in a bonded warehouse within 6 months.	yes	100%	n/a	36%	20% for each grave (with \$20 minimum); 5% for each underground crypt (with \$25 minimum); 5% for each mausoleum crypt (with \$50 minimum); and 10% for each columbarium niche (with \$15 minimum)
Louisiana	70% of purchase price	Yes	70% of purchase price	n/a	n/a	10% of purchase price
Maine	100% with exceptions		100%			

Manitoba						Amounts vary but minimums are: Monument above ground: 35% or \$20 Monument at ground level: 30% or \$15 Columbarium: 15% or \$15 Mausoleum: 30% or \$15 The principal remains in the trust fund but trustees admin fees may include 5% of income and .2% of capital from the income rec'd.
Maryland	55%	Yes	55%	n/a	n/a	10% of selling price of each interment in a burial lot, crypt or niche
Massachusetts	none	none	none	none	none	30% for mausoleum space only
Michigan	100% unless vault or other outside container, grave memorial or urn those items can be 75% of funds received 1/1/08-12/31/08, 80% thereafter.	Yes - provided the item is insured and for memorials and urns they need to be inscribed.	100%	100% unless vault or other outside container, grave memorial or urn those items can be 75% of funds received 1/1/08-12/31/08, 80% thereafter.	none for merchandise; separate account for preconstruction and purchaser entitled to 100% refund plus 4% interest if not built within 4 years; otherwise, same as endowed care %	15% of all burial, entombment or columbarium rights, but not less than \$20 for each adult right.
Minnesota	100%		100%			
Mississippi	85%	yes	85%	85%	No	15% or .40 sqt ft. - spaces 5% or \$50 - crypts 5% or \$10 - niches
Missouri	110% of wholesale cost on monuments, markers and memorials. 80% of pre-need sales.		80% of pre-need sales			15% of gross sales price on grave spaces. 10% of gross sales price on crypts or niches.
Montana						
Nebraska	85%	No Trusting, if Proof of Title has been provided to the Pre-Need Purchaser.	85%	85%	65% of pre-need sale or \$0.00 if Letter of Credit is pledged	

	100% minus sales commission, not to exceed 40% of the purchase price		100% minus sales commission, not to exceed 40% of the purchase price			
Nevada						
New Brunswick						
New Hampshire	none	none	none	none	none	none
Newfoundland and Labrador						
New Jersey						
						58-17-6 NMSA 1978 D. that not less than the following amounts will be set aside and deposited in trust: (1) for graves, twenty-five percent of the lot or land sales price unless a lesser amount is approved by the director; (2) for a crypt or niche, ten percent of the sales price; and (3) for the special care of any lot, grave, crypt or niche or the family mausoleum, memorial, marker or monument, the full amount received.
New Mexico						
New York	100%	no	100% escrowed	100%	none	10% plus \$35 per internment
North Carolina	60% of retail purchase price		60% of retail purchase price			
North Dakota	50% with exceptions		100%			

Nova Scotia	100% of money received for a pre-need cemetery contract and all income earned remains in trust until the goods or services have been purchased or provided in accordance with the plan. The seller of a pre-need cemetery plan may retain not more than 10% (for expenses) of the contract amount.				Not allowed, the cemetery must be ready to commence operations before lots can be sold.	15% or \$50 (whichever is larger) from the sale of each cemetery lot shall be put in an irrevocable trust account. The net income available from the care fund can be used to pay the operator up to the amount spent on care and maintenance of the cemetery during the year.
Ohio	greater of 110% of actual cost or 30% of retail	yes	70%	none	none	at least 10% of interment right sale
Oklahoma	Owner keeps first 35% of retail cost. Every payment thereafter must be trusted until 110% is trusted on cemetery merchandise. 110% must be increased yearly as of December 31 to show cost increases plus 10%.	Vendor Certificate must be in customer file. No restrictions on warehousing.	None	Trusting is required only on engravings.	110% trusted on sale of individual crypts, niches, feature crypts, and lawn crypts sold pre-constructed or a surety bond equal to 110% of the wholesale price of entire structure. Proof of completion must be submitted to Department before withdrawal of contributions or bond canceled.	10% of burial space must be deposited. Defined to mean, if many discounts are offered the 10% is calculated only on the total balance on which every customer received the identical discounts. Burial space includes any type of place or structure that human remains can be scattered, interred, inurred or entombed in.

Ontario	100% of retail goes in trust until the item in the contract has been supplied or is in stock with cemetery operator. Money must be put in trust within 60 days of receiving the money.	If the cemetery operator has the item in the contract on hand, the money can be taken out of trust.	100% until provided	100% until supplied	Not allowed, the project must be completed to be sold.	In ground burial adult - 40% or \$150 whichever is greater, child or cremated remains 40% of retail. Crypt - 20% of retail or \$500. Niche - 15% of retail or \$100. Monuments: Flat (less than 173 sq in) \$0, flat (more than 173 sq in) \$50, upright (less than 4 feet high or wide) \$100, upright (more than 4 feet high or wide) \$200. Principal must remain in trust, income can be used for care and maintenance.
Oregon	90% for Guaranteed contracts; 100% for non-guaranteed		90% for Guaranteed contracts; 100% for non-guaranteed	NA	90% for Guaranteed contracts; 100% for non-guaranteed	15% of Gross sales price for Graves; 5% of sales price for Niches; 5% of sales price for crypts
Pennsylvania	70%					
Prince Edward Island						
Quebec						
Rhode Island						
Saskatchewan	50% of the amount received					Mausoleum or columbarium - 10% of the total cost, 15% from the sale of interment rights, Monuments - flat (larger than 439 sq cm) \$75, upright (less than 1.22 m in height) \$150, upright (more than 1.22 m in height) \$300. Minimum amount in the care and maintenance fund is \$10,000 per hectare.

South Carolina	100% of the actual cost to the seller, if not delivered or bonded -- deposited in Merchandise account, but not required to be a trust account	Shall store or warehouse the contracted merchandise, or bond or deposit the funds in a merchandise account.	No provision for services. Statute does not deal with opening and closing.		100% of actual cost to seller, or a performance bond. From date of 1st sale, construction must begin within 36 months and be completed within 60 months. For good reason one 12 month extension.	Require trust fund; Within 60 days of final payment -- not less than \$40 or a minimum of ten% of sale price, whichever is greater, per grave space, and niche, \$100 per mausoleum crypt sold or a minimum of 5% of the sales price, whichever is greater. For memorials or grave markers -- minimum of 8 cents per square inch of base.
South Dakota	85%		85%			
Tennessee	120% wholesale	No	120% of wholesale	120% of wholesale		20% or .50 sq. ft. - spaces 10% - crypts 20% - lawn crypts
Texas	90% trusted	not allowed in state-must trust 90% of preneed funeral merchandise and services sold on PC contract	90% trusted	90% trusted	insurance and req'd P	Ground Area: greater of 15% of the net sales price (after discounts) or \$1.75 per sq. foot. Crypts: greater of \$105 for first crypt, and \$60 for second crypt if accessible through first crypt, or 7% of net sales price (after discounts). Niches: greater of 15% of the net sales price (after discounts) or \$35.00 for each niche interment. Second rights of interment based on same criteria.
Utah	All money representing payments for the purchase of a preneed funeral arrangement shall be deposited	Up to 30 % is available for authorized reasonable funeral service establishment expenses.				
Vermont						
Virginia	40% when delivery will be delayed more than 120 days from initial payment		40% when delivery will be delayed more than 120 days from initial payment		10%	10%

Washington	50% Trusting	Yes	50%	100%	50%	10% - must be add on to the price
West Virginia	40%	40%	40%	40%	40%	40%
Wisconsin	40% -- Cemetery Merchandise 100% -- Funeral Merchandise	Cemetery Merchandise warehousing allowed if in bonded and licensed (by Wisconsin) warehouse	None for Cemetery Merchandise. 100% for Funeral Merchandise.	100%	40% of each sale until construction is complete	15% or \$25, whichever is greater, for the sale of each grave. 100% minus selling expenses for resale of Abandoned graves. 25% of each Crypt or Niche sold until the Fund reaches 25% of Construction Cost.
Wyoming	100%		100%			