



General Assembly

January Session, 2019

***Raised Bill No. 7315***

LCO No. 5411



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING ADJUDICATION OF COMPLAINTS MADE AGAINST SEXTONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-66 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) The sexton of a cemetery shall specify on the removal, transit  
4 and burial permit the place of burial, by section, lot or grave, or other  
5 place of interment. If the removal, transit and burial permit is recorded  
6 in an electronic death registry system, the sexton shall enter the place  
7 of burial in such system not later than three days after the date of the  
8 burial. For any removal, transit and burial permit in a paper format,  
9 the sexton shall forward such completed and signed removal, transit  
10 and burial permit to the registrar of the town where the body is buried,  
11 and send a copy of such removal, transit and burial permit to the  
12 registrar of the town where death occurred. For any disinterment of a  
13 body, the sexton who is in charge of reintering such body shall: (1)  
14 Complete a disinterment permit as required pursuant to section 7-67  
15 specifying the place of reinterment by section, lot or grave, or other

16 place of interment; (2) return a completed disinterment permit to the  
17 registrar of the town where the body is buried; and (3) send a copy of  
18 such disinterment permit to the registrar of the town where the death  
19 occurred. Any removal, burial and transit permit and disinterment  
20 permit in a paper format shall be forwarded to the proper registrar by  
21 the first week of the month following interment or disinterment.

22 (b) For a body that is placed temporarily in a receiving vault of any  
23 cemetery and subsequently buried in the same cemetery, no additional  
24 removal, burial and transit permit shall be required. In each case  
25 herein provided for, the sexton of such cemetery shall endorse upon  
26 the removal, transit and burial permit the date when the body was  
27 placed in the temporary receiving vault, and the date when and the  
28 place where such body was subsequently buried. If such subsequent  
29 burial is to be in any cemetery other than the cemetery where the body  
30 was temporarily deposited or if the body is to be cremated, the sexton  
31 shall return the original burial permit to the registrar of the town  
32 where death occurred, who shall thereupon issue another removal,  
33 burial and transit, or cremation permit if necessary.

34 (c) Each sexton having charge of any burial place shall report all  
35 interments, disinterments and removals made by such sexton to the  
36 registrar of the town where the cemetery is located. If the death is  
37 recorded in an electronic death registry system, a sexton shall fulfill the  
38 requirements of this subsection by completing the removal, transit and  
39 burial permit in such registry system. For any removal, transit and  
40 burial permit in a paper format, the sexton shall forward to the  
41 registrar of the town where the cemetery is located a monthly list of all  
42 interments, disinterments and removals of bodies in temporary  
43 receiving vaults. Such list shall be due during the first week of the  
44 month following the month in which the sexton completed the  
45 interments, disinterments and removals of bodies in temporary  
46 receiving vaults.

47 (d) Any complaint alleging that a sexton has violated the provisions  
48 of subsection (a) or (b) of this section, shall be filed with the Probate

49 Court in the district in which the cemetery is located. The Probate  
50 Court shall provide a copy of the complaint to the sexton by first class  
51 mail. The Probate Court shall schedule a hearing on such complaint  
52 not later than forty-five days after the date of receipt of such complaint  
53 and shall provide notice of the hearing by first class mail to the  
54 complainant and the sexton. Following such hearing, if the Probate  
55 Court judge finds probable cause that the sexton has violated the  
56 provisions of subsection (a) or (b) of this section, such judge shall refer  
57 the complaint alleging criminal wrongdoing by the sexton to the state's  
58 attorney for the judicial district in which the cemetery is located.

59 [(d)] (e) Any sexton who violates the provisions of subsections (a)  
60 and (b) of this section shall be guilty of a class D felony. Any sexton  
61 who fails to make the appropriate filing of reports as required by  
62 subsection (c) of this section, by the end of the third week of a month  
63 to the registrar of the town where the cemetery is located, shall be  
64 subject to a fine of not more than one hundred dollars per day.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	7-66

**Statement of Purpose:**

To provide a judicial mechanism for the resolution of complaints made against sextons.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*