



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 Section 7-66 of the general statutes is repealed and the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

JUD *Joint Favorable*