



**Rules of
Department of Commerce and
Insurance**

**Division 2065—Endowed Care Cemeteries
Chapter 2—General Rules**

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2065—Endowed Care Cemeteries
Chapter 2—General Rules**

20 CSR 2065-2.010 Application for a License

PURPOSE: This rule outlines the procedure for application for a license.

(1) License application forms may be obtained by contacting the Office of Endowed Care Cemeteries at 3605 Missouri Boulevard, Jefferson City, MO 65102 or by calling (573) 751-0849. The number for the hearing impaired is (800) 735-2966.

(2) An application is not considered officially filed with the committee until it has been determined by the division that a fully completed application has been submitted to the division. Application forms provided by the division must be completed, signed, notarized, and accompanied by adequate documentation, as requested by the division to establish compliance with all state laws, rules and regulations, and county or municipal ordinances and regulations.

(3) Applicants approved for a license will receive one (1) license. Duplicate licenses may be provided upon written request to the division.

(4) An application for a license to operate a cemetery does not constitute an election to operate a cemetery as an endowed care cemetery. If an election pursuant to section 214.280, RSMo has not been made for a cemetery, it must accompany the application for a license.

AUTHORITY: section 214.275, RSMo 2016. This rule originally filed as 4 CSR 65-2.010. Original rule filed Sept. 28, 2001, effective March 30, 2002. Moved to 20 CSR 2065-2.010, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 214.275, RSMo 1999, amended 2001.*

20 CSR 2065-2.020 Endowed Care Cemetery Converting to Nonendowed

PURPOSE: This rule establishes procedures for endowed care cemeteries to become a nonendowed cemetery.

(1) Any endowed care cemetery that wishes to become a nonendowed cemetery shall submit a letter of intent to the office which shall

include a detailed plan regarding how the cemetery will meet contractual obligations for the delivery of services entered into prior to converting to the status of a nonendowed cemetery, including but not limited to:

(A) Plot map showing any section that contains an endowed care plot;

(B) Affidavit ensuring that the endowed care funds will remain intact for the care and maintenance of the sections containing plots sold as endowed care;

(C) A statement regarding how the funds will be held consistent with section 214.330, RSMo; and

(D) Any other information requested by the office.

AUTHORITY: sections 214.280.2 and 214.392, RSMo 2016. This rule originally filed as 4 CSR 65-2.020. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-2.020, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 214.280, RSMo 1961, amended 1994 and 214.392, RSMo 1994.*

20 CSR 2065-2.030 Election to Operate as Endowed or Nonendowed

PURPOSE: This rule outlines the procedure for electing to operate as an endowed or nonendowed care cemetery.

(1) Election to operate shall be submitted on the form provided by the division. Forms may be obtained by contacting the Office of Endowed Care Cemeteries, P.O. Box 1335, Jefferson City, MO 65102, by calling (573) 751-0849 or by E-mail at endocare@mail.state.mo.us.

(2) An election to operate form is not considered officially filed with the division until it has been determined by the division that a fully completed form and the required fee has been submitted. Forms provided by the division must be completed, signed, notarized and accompanied by adequate documentation, as requested by the division to establish compliance with all state laws, rules and regulations, and county or municipal ordinances and regulations.

(3) An election to operate does not constitute an application for a certificate of authority. If an application, pursuant to section 214.275, RSMo, has not been made for a cemetery, it must accompany the election to operate form.

AUTHORITY: sections 214.280, RSMo Supp.

1999 and 214.392, RSMo 1994. This rule originally filed as 4 CSR 65-2.030. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-2.030, effective Aug. 28, 2006.*

**Original authority: 214.280, RSMo 1961, amended 1994; 214.392, RSMo 1994.*

20 CSR 2065-2.040 Land Surveyor's Statement, Location of Cemetery

PURPOSE: This rule is to define the form and manner for land surveyors to submit statements to the Office of Endowed Care Cemeteries of the Division of Professional Registration of the location of cemeteries found during land surveys of property located in the state.

(1) For purposes of section 214.283(1), RSMo, the office shall create the form for land surveyors to report the location of cemeteries. The form shall request the following information:

(A) Location of the property, including address, legal description and the city and/or county within which the cemetery is located;

(B) Name of the cemetery;

(C) County assessor's parcel number for the property;

(D) Owner of the cemetery;

(E) Name, telephone number and professional license number of the land surveyor; and

(F) Any other information deemed appropriate by the office.

(2) The land surveyor is required in all cases to provide his/her name, license number and telephone number and an adequate description of the location of the cemetery so it can be found by another person.

(3) The land surveyor shall also provide all other information requested in the form that is known or easily obtained by the land surveyor.

(4) The form shall be submitted to the Office of Endowed Care Cemeteries, P.O. Box 1335, Jefferson City, MO 65102-1335.

AUTHORITY: sections 214.283(1) and 214.392, RSMo 1994. This rule originally filed as 4 CSR 65-2.040. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-2.040, effective Aug. 28, 2006.*

**Original authority: 214.283, RSMo 1994; 214.392, RSMo 1994.*



20 CSR 2065-2.050 License Renewal

PURPOSE: This rule outlines the process of renewing a license.

(1) All licenses shall be renewed annually and shall expire on August 31.

(A) Each holder of a license to own or operate a cemetery shall provide the division with a completed renewal application issued by the division and the required annual renewal fee. The renewal application shall contain updated information since the preceding application/renewal period.

(B) The division will mail a renewal application to the last known address of each current holder of a license to own or operate a cemetery prior to the renewal date.

(C) Failure to receive a renewal notice shall not relieve the holder of a license to own or operate a cemetery of the obligation to renew the license and pay the required fee prior to the expiration date of the license.

(D) Deposit of the renewal fee by the division shall not indicate acceptance of the renewal application or that any licensing requirements have been fulfilled.

(E) Renewals shall be postmarked no later than the expiration date of the license, or if the expiration date is a Sunday or a federal holiday, the next day.

(2) Applicants that are approved for renewal will receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee pursuant to rules promulgated by the division.

AUTHORITY: sections 214.275.4 and 214.276, RSMo 2016. This rule originally filed as 4 CSR 65-2.050. Original rule filed Sept. 28, 2001, effective March 30, 2002. Moved to 20 CSR 2065-2.050, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 214.275, RSMo 1999, amended 2001 and 214.276, RSMo 1999, amended 2001.*