



## REPORT OF TRUSTEE – MERCHANDISE TRUST FUND INSTRUCTIONS

*Title 8 and the Rules of the Louisiana Cemetery Board provide:*

- ❖ All trustees of merchandise trust funds shall submit a report to the board, on the forms prescribed by the board, within 90 days after the close of the cemetery's or other entity's tax reporting year, or within 60 days from resignation as trustee. The assets of the trust shall be reported on a cost basis.
- ❖ The merchandise trust funds shall be held in trust both as to principal and income earned thereon, and shall remain intact, except that the costs of operation of the trust may be deducted from the income earned thereon, until delivery of the personal property is made or the services are performed. A cemetery, cemetery authority, or other entity required to establish and maintain a merchandise trust fund may not charge the income of the trust for its administrative costs for the operation of the cemetery, cemetery authority, other entity, or trust funds. Within a merchandise trust fund, realized capital gains and losses shall be allocated in the same manner as income.
- ❖ For the purposes of withdrawal, certification of delivery shall include:
  1. for services:
    - a. a copy of the death certificate; or
    - b. a copy of the burial transit permit; or
    - c. a copy of the published obituary;
  2. for merchandise:
    - a. if the merchandise is delivered prior to the death of the contract beneficiary, such certification shall include:
      - i. a written statement certifying delivery of the merchandise or personal property and signed by an authorized representative of the cemetery or other entity; or
      - ii. a photograph of the merchandise or personal property as installed on the cemetery space; or
      - iii. a copy of the paid-in-full invoice;
    - b. if the merchandise is delivered after the death of the contract beneficiary, such certification shall include:
      - i. at least one of the items listed in Paragraph 1, above; and
      - ii. at least one of the items listed in Subparagraph 2.a, above;
- ❖ All funds held in trust must comply with the provisions of La. R.S. 8:454(A) and 8:465 regarding investment, preservation and protection.

1. Report must be completed in full and executed by the Trustee.
2. The following information must accompany the Report:
  - a) A complete copy of all supporting schedules and/or bank statements.
  - b) All supporting documentation for withdrawals (certification of delivery).
3. Upon request, there shall be submitted to the Board such additional information and/or documentation the Board may deem necessary.

**IF YOU HAVE ANY QUESTIONS REGARDING THE PREPARATION OF THE REPORT, PLEASE CONTACT THE OFFICE OF THE BOARD AT THE ADDRESS OR TELEPHONE NUMBER LISTED BELOW.**

**THIS REPORT AND ATTACHMENTS ARE PUBLIC RECORD EXCEPT TO THE EXTENT THEY ARE EXCEPTED, EXEMPTED, OR LIMITED BY LAW; AND THEY WILL BE FURNISHED TO PERSONS, FIRMS, ASSOCIATIONS, CORPORATIONS, ETC., MAKING A WRITTEN PUBLIC RECORDS REQUEST PURSUANT TO TITLE 44. IF APPLICANT CONSIDERS ANY SUBMISSIONS OF INFORMATION CONFIDENTIAL AND EXCEPTED, EXEMPTED OR LIMITED BY LAW, PLEASE MARK SAME ACCORDINGLY.**

*Louisiana Cemetery Board  
3445 N. Causeway Blvd., Suite 509  
Metairie, LA 70002  
Telephone 504-838-5267 - Toll Free 1-866-488-5267  
Website: [www.lcb.state.la.us](http://www.lcb.state.la.us)*