

SENATE BILL NO. 191—SENATOR MANENDO (BY REQUEST)

FEBRUARY 23, 2011

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing pet cemeteries and crematories. (BDR 40-979)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to pets; reducing the amount of real property required for the operation of a pet cemetery; revising provisions governing crematories for pets; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 2** of this bill authorizes the governing body of a county, city or town to
2 adopt ordinances for the maintenance and operation of a crematory for pets.
3 **Section 3** of this bill reduces the amount of real property required to have a pet
4 cemetery from 5 acres to 2.5 acres. **Section 4** of this bill removes the requirement
5 that a crematory for pets must be operated by a person who is a cemetery authority,
6 who has a certificate of authority and who operates the crematory on the property
7 of a pet cemetery. Instead, **section 4** requires a crematory for pets which is
8 independent of a cemetery for pets to have an area of a facility that is designated
9 only for the cremation of pets and which complies with any applicable laws.
10 **Section 5** of the bill allows the operator of a crematory for pets to dispose of the
11 remains of a pet which have been left with the crematory when arrangements have
12 not been made within 7 days.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** NRS 452.650 is hereby amended to read as follows:
3 452.650 The governing body of a county, city or town may
4 adopt such ordinances for the maintenance and operation of
5 cemeteries for pets ~~H~~ *and crematories for pets*, and for the
6 interment, inurnment and entombment of pets, as it deems



appropriate for the public health, safety or welfare. Such an ordinance must not conflict with the provisions of NRS 452.655 to 452.700, inclusive.

Sec. 3. NRS 452.670 is hereby amended to read as follows:

452.670 A person shall not operate a cemetery for pets unless:

1. The trust fund for the endowment care of the cemetery contains a principal sum of not less than that amount required pursuant to NRS 452.705.

2. The cemetery is located on not less than ~~1.5~~ 2.5 acres of real property which:

(a) Is dedicated for use as a cemetery for pets pursuant to NRS 452.655; and

(b) Is not subject to any liens, mortgages or other encumbrances, except those which are subordinate to the dedication of the property for use as a cemetery for pets.

Sec. 4. NRS 452.675 is hereby amended to read as follows:

452.675 1. A person shall not operate a crematory for pets unless the person ~~is a cemetery authority who:~~

~~—(a) Also holds a certificate of authority issued pursuant to NRS 452.340; and~~

~~—(b) Operates the crematory on the property to which that certificate of authority relates.]~~ *has a facility with an area designated only for the cremation of pets and which complies with any applicable federal or state statute or regulation or local ordinance.*

2. The provisions of this section do not apply to ~~1a~~ :

(a) A society:

~~1a Formed~~

(1) Which was formed for the purpose of preventing cruelty to animals as described in NRS 574.010; and

~~1b~~ *(2) Which operates a shelter for animals.*

(b) A cemetery for pets that operates a crematory for pets.

Sec. 5. NRS 452.680 is hereby amended to read as follows:

452.680 A cemetery authority ~~1a~~ *or an operator of a crematory for pets:*

1. May dispose of the remains of any pet which has been left for more than 7 days at the cemetery ~~1a~~ *or crematory*, if arrangements have not been made with the cemetery authority *or operator of the pet crematory* for the disposition of the pet.

2. Shall post a notice, in a conspicuous place on the grounds of the cemetery ~~1a~~ *or in the portion of the facility of the crematory where the public is allowed* apprising the public of the provisions of subsection 1.



1 **Sec. 6.** This act becomes effective upon passage and approval.

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