

# Chapter 98-12 WAC

## ENDOWMENT CARE CEMETERIES

### WAC

98-12-020 Improved commercial or real estate income.  
98-12-030 "Gross sales price" defined.  
98-12-040 Records of endowment care funds.  
98-12-050 Endowment care trust fund contribution for additional rights of interment, entombment or inurnment.

[Statutory Authority: RCW 68.05.105 and chapter 34.05 RCW. 07-11-088, § 98-12-040, filed 5/15/07, effective 6/15/07. Statutory Authority: RCW 68.05.100. 83-02-063 (Order 106), § 98-12-040, filed 1/5/83.]

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

98-12-010 Endowment care trust funds—Alteration of identity of trustee—Notice required. [Order 72-1, § 98-12-010, filed 9/8/72.] Repealed by 89-08-043 (Order PM 830), filed 3/31/89. Statutory Authority: RCW 68.05.105.

**WAC 98-12-050 Endowment care trust fund contribution for additional rights of interment, entombment or inurnment.** A cemetery authority not exempt from this chapter must make a deposit to the endowment care fund, for additional rights of interment, entombment or inurnment, as required in RCW 68.40.010.

[Statutory Authority: RCW 68.05.105 and chapter 34.05 RCW. 07-11-088, § 98-12-050, filed 5/15/07, effective 6/15/07.]

**WAC 98-12-020 Improved commercial or real estate income.** In determining the trust fund income for the purpose of RCW 68.44.020 and 68.44.170, an allowance for depreciation on the improved real estate will be used as a determining factor in computing fund income. The cemetery authority must document how depreciation is determined.

[Statutory Authority: RCW 68.05.105 and chapter 34.05 RCW. 07-11-088, § 98-12-020, filed 5/15/07, effective 6/15/07. Statutory Authority: RCW 68.05.100. 81-07-013 (Order 104), § 98-12-020, filed 3/9/81.]

**WAC 98-12-030 "Gross sales price" defined.** In determining "ten percent of the gross sales price" pursuant to RCW 68.40.010, gross sales price shall not include the endowment care fund portion. Endowment care shall be added to the gross sales price and separately identified as endowment care on any contract. For example: Grave gross sales price - \$100.00. Endowment care requirement - \$10.00. Total contract price - \$110.00.

[Statutory Authority: RCW 68.05.100. 83-02-063 (Order 106), § 98-12-030, filed 1/5/83.]

**WAC 98-12-040 Records of endowment care funds.** Any cemetery authority maintaining an endowment care fund shall maintain a current accounting system in accordance with generally accepted accounting principles. The system shall track sales, receipts, and disbursements and include the following:

(1) An individual contract or agreement with each individual purchasing a right of interment with reference numbering.

(2) A record of:

- Payments received and the amount due or paid to the endowment care fund.
- Reconciliation of payments to and from the fund.
- All supporting bank and investment statements.

All records required to be maintained pursuant to this rule and Title 68 RCW, whether maintained manually or by computer, shall:

- Be retained and available for inspection for a period of seven years.
- Be understandable to the cemetery board examiner or other persons reasonably having cause to access them.

(5/15/07)

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