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June 19, 2026

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Senator Laura Richardson  
1021 O Street, Suite 7340  
Sacramento, CA 95814

## RE: SB 1312 Cemeteries – SUPPORT

Dear Senator Richardson,

On behalf of the Marin County Board of Supervisors, I am writing in support of your bill SB 1312 (Richardson), which establishes a long-needed practical framework for addressing abandoned endowment care cemeteries in California and creates a pathway toward long-term stewardship by responsible nonprofit organizations, licensed cemetery operators, or other qualified entities.

The County of Marin has been grappling firsthand with the consequences of an abandoned private endowment care cemetery at Mt. Tamalpais Cemetery in San Rafael. Mt. Tamalpais is a 150-year-old cemetery that remains an active burial site for families with pre-purchased plots. Following years of financial mismanagement, operational failures, and neglect, the Cemetery and Funeral Bureau revoked the cemetery's license in 2025 and assumed control of its endowment care fund. Despite these actions, the cemetery remains in a state of severe deterioration, with overgrown vegetation, damaged gravesites, public safety concerns, and little to no ongoing maintenance. Unlike other abandoned cemeteries in the state, Mt. Tamalpais continues to conduct burials while lacking a licensed cemetery operator, creating a uniquely challenging situation for families and regulators alike.

The impacts on the community have been profound. This spring, Marin County received more than 200 letters from residents, family members, and community stakeholders expressing frustration, grief, and concern regarding the ongoing condition of the cemetery and the absence of a clear path toward a permanent solution. Families have described difficulty locating loved ones' graves, canceled burial services, deteriorating conditions, and the emotional toll of watching a place of remembrance fall into disrepair. The situation has also required local government intervention to address wildfire risks and other public safety concerns associated with the neglected property.

For this reason, Marin County greatly appreciates Senator Richardson's leadership on this issue. SB 1312 reflects many of the recommendations developed through the SB 777 workgroup process and, importantly, recognizes a reality that communities across California have been confronting for years: cemeteries are permanent community institutions, but private ownership structures are not always permanent. When ownership fails, local communities are left with few tools and no clear path forward.

SB 1312 provides a possible path. The bill establishes a process for a local government to formally declare abandonment and encourage responsible long-term stewardship by nonprofit organizations and licensed cemetery operators. The bill's liability protections, authority to utilize endowment care funds, and compliance flexibility for successor operators are particularly important tools that may finally make it feasible for responsible entities to assume stewardship of distressed cemetery properties.

The County is especially supportive of the bill's recognition that successful transitions often require incentives for successor organizations. A nonprofit organization or licensed cemetery operator considering the assumption of responsibility for a severely distressed cemetery should not be expected to inherit decades of accumulated liabilities, nor should they be required to immediately bring a neglected property into full regulatory compliance. The framework established in SB 1312 appropriately balances accountability with practicality and creates meaningful opportunities for communities to secure long-term stewardship.

The County also appreciates that **SB 1312 is structured as a permissive (“may”) framework** rather than a mandate (“shall”). The bill provides communities with additional tools and options by authorizing local governments to pursue abandonment declarations, ownership transfers, and long-term stewardship arrangements where appropriate, while preserving local discretion. We recognize that circumstances vary significantly across California and that not every community will choose to utilize the processes established by the bill.

The County respectfully suggests **two technical clarifications** to the bill as drafted ensure that communities already engaged in efforts to stabilize local abandoned cemeteries are able to fully benefit from the solutions created by the bill. The following would ensure that communities already working in good faith to address abandoned cemeteries are able to access the same tools and incentives contemplated elsewhere in the bill:

**New subdivision to Section 8831:**

*"8831(c). A cemetery shall not be disqualified from being declared abandoned pursuant to this chapter solely because title to the cemetery property has been acquired by a city, county, or city and county through voluntary conveyance, tax sale, court order, settlement agreement, or other lawful transfer prior to the declaration of abandonment, provided the conditions described in subdivision (a) are otherwise satisfied."*

**New subdivision to Section 8832:**

*"8832(d). The protections, authorities, and procedures provided by this chapter shall apply to any cemetery that satisfies the criteria for abandonment under Section 8831, regardless of whether title is acquired through the abandonment process established by this chapter or through voluntary conveyance, tax sale, court order, settlement agreement, or other lawful transfer."*

Marin County is grateful to Senator Richardson and her office for taking a leadership role on this difficult issue. We look forward to continuing to work collaboratively to

ensure the bill's tools are available both to future abandoned cemeteries and to communities already engaged in efforts to resolve longstanding cemetery crises.

We also share our appreciation for the Assembly Business and Professions Committee to consider these bill amendments.

Sincerely,

A handwritten signature in black ink, appearing to read 'EL', is positioned above the typed name.

Eric Lucan, President  
Marin County Board of Supervisors

CC: Marin County Board of Supervisors  
Senator Mike McGuire  
Assemblymember Damon Connolly  
Assembly Committee on Business and Professions