

SENATE, No. 4848

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:
Senator RENEE C. BURGESS
District 28 (Essex and Union)

SYNOPSIS

Requires written contract for sale of memorials and option for seller to deposit payments into escrow account.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the sale of memorials and supplementing
2 P.L.1960, c.39 (C.56:8-1 et seq.).

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. Each sale of a memorial shall be evidenced by a written
8 contract. The contract shall be signed by all parties thereto and
9 shall clearly and accurately set forth in legible form and in
10 understandable language all terms and conditions of the contract,
11 including, but not limited to:

12 (1) the names and addresses of the seller and the purchaser of
13 the memorial;

14 (2) the full name of the individual to be memorialized and, if
15 known, the date of the individual's death;

16 (3) a visual and written description of the memorial, including:

17 (a) the material to be used;

18 (b) the dimensions; and

19 (c) the wording of any inscription and the approximate layout
20 thereof;

21 (4) the approximate date when the memorial is expected to be
22 delivered to the purchaser or other authorized recipient, or installed
23 by the seller pursuant to the contract;

24 (5) the location where the memorial is to be delivered or the
25 name of the cemetery in which the memorial is to be installed and,
26 if known, the location of the plot or grave;

27 (6) the total price of the memorial including:

28 (a) itemized charges for delivery, installation, and, if necessary,
29 additional work, provided that the additional work is clearly
30 described in the contract; and

31 (b) the schedule for payment, if applicable; and

32 (7) the option to deposit payments for the memorial into an
33 escrow account pursuant to subsection b. of this section and, if the
34 purchaser opted to deposit payments into an escrow account, the
35 terms of payments to and disbursements from the escrow account.

36 b. (1) The seller of a memorial shall provide a purchaser with
37 the option to deposit funds for initial and scheduled payments for
38 the memorial into an escrow account in a banking institution or
39 savings and loan association in this State insured by an agency of
40 the federal government.

41 (2) Upon receipt of the memorial by the purchaser or other
42 authorized recipient or, if specified by the contract, upon the
43 installation of the memorial by the seller, any funds held in escrow
44 shall be disbursed to the seller pursuant to the terms of the contract.

45 c. A violation of any provision of this section is a violation of
46 P.L.1960, c.39 (C.56:8-1 et seq.), and shall be subject to all
47 remedies and penalties available pursuant to P.L.1960, c.39

1 (C.56:8-1 et seq.) in addition to any other remedies or penalties
2 provided by law.

3 d. As used in this section:

4 “Grave” means a place for underground disposition of human
5 remains or cremated human remains. The term may include spaces
6 for the disposition of human remains of more than one person,
7 arranged by depth.

8 “Memorial” means a marker or monument located at a grave
9 containing the name of a deceased person or the family name of a
10 deceased person, or an effigy or other representation of a deceased
11 person buried in the grave.

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13 2. This act shall take effect on the 180th day next following the
14 date of enactment and shall apply to sales of memorials occurring
15 on or after that date.

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18 STATEMENT

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20 This bill requires each sale of a memorial to be evidenced by a
21 written contract. Under the bill, a contract for the sale of a
22 memorial is to include certain details, including:

23 (1) the names and addresses of the seller and purchaser of the
24 memorial;

25 (2) the full name of the individual to be memorialized and, if
26 known, the date of the individual's death;

27 (3) a visual and written description of the memorial;

28 (4) the approximate date when the memorial is expected to be
29 delivered to the purchaser or other authorized recipient or installed
30 by the seller pursuant to the contract;

31 (5) the location where the memorial is to be delivered or the
32 name of the cemetery in which the memorial is to be installed and,
33 if known, the location of the plot or grave;

34 (6) the total price of the memorial; and

35 (7) the option to deposit payments for the memorial into an
36 escrow account and, if the purchaser opted to deposit payments into
37 an escrow account, the terms of payments to and disbursements
38 from the escrow account.

39 With regards to escrow accounts, the bill requires the seller of a
40 memorial to provide the purchaser with the option to deposit funds
41 for initial and scheduled payments for the memorial into an escrow
42 account. Upon receipt of the memorial by the purchaser or other
43 authorized recipient or, if specified by the contract, upon the
44 installation of the memorial by the seller, any funds held in escrow
45 are to be disbursed to the seller pursuant to the contract.

46 A violation of the bill's provisions would be an unlawful practice
47 under the consumer fraud act, and would be punishable by a
48 monetary penalty of not more than \$10,000 for a first offense and

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1 not more than \$20,000 for any subsequent offense. Additionally, a
2 violation of the consumer fraud act can result in cease and desist
3 orders issued by the Attorney General, the assessment of punitive
4 damages, and the awarding of treble damages and costs to the
5 injured.