
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

Bill No: SB 1115
Author: Grove
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Fiscal: No
Consultant: Vargas

PUBLIC CEMETERY DISTRICTS: BOARD OF TRUSTEES: COUNTY OF TULARE

Allows a public cemetery district in Tulare County or the County of Tulare Board of Supervisors to remove a trustee.

Background

The Legislature passed the law creating public cemetery districts over 90 years ago (SB 524, Roseberry, 1909). Legislators revised the cemetery districts' principal act in 1921 and again in 1927. Legislation codified the state laws governing public cemetery districts as part of the original Health and Safety Code in 1939 (SB 657, Mixer & Foley, 1939). In 2003, the Legislature undertook a thorough review of the entire statute through a 21-member appointed "Working Group on Revising the Public Cemetery District Law" to enact the statute existing today (SB 341, Senate Local Government Committee).

California has 253 public cemetery districts, which are independent local government entities that operate cemeteries and provide interment services, mostly in rural areas and suburbs that were formerly rural communities. A board of trustees with at least three registered voters from within the district's boundaries governs a cemetery district. All members are appointed by the board of supervisors after adopting a resolution. However, the board of supervisors may also, by adopting a resolution, appoint itself as the board of trustees or subsequently divest themselves of that authority. The districts finance their operations with small shares of local property tax revenues, by selling interment rights, and by charging for their services. Cemetery districts must have endowment care funds and must charge endowment fees to help pay for maintaining district cemeteries.

Tulare County. Tulare County has five public cemeteries districts: Eshom Valley, Three Rivers, Tulare, Visalia, and Woodlake. In recent years, the five-member board of trustees for the Tulare Public Cemetery District experienced significant internal conflicts that raised concerns about its governance and operations, including:

- During board meetings, members of the public expressed concerns regarding the district's management, including allegations of excessive spending, ongoing litigation, and poor conditions of the grounds. Despite the concerns from the public, the general manager continued to have the support of a majority of the board;
- Since 2016, the district has conducted eight disinterments to address incorrect burials, including two in March 2021, which led to multiple lawsuits filed by the affected families;
- In May 2025, a board meeting was called to order and adjourned within seconds; and

- Shortly thereafter, the district's insurance company, Golden State Risk Management Authority, warned that it may terminate coverage due to constant litigation unless corrective measures were taken.

To address these concerns, in July 2025, the Tulare County Board of Supervisor voted to assume control of the cemetery district board.

The Tulare County Board of Supervisors are currently in the process of transitioning the Tulare Cemetery District back to a newly appointed board of trustees. The County also wants the Legislature to establish an alternative process to remove an individual trustee from the cemetery district.

Proposed Law

Senate Bill 1115 allows for the board of trustees of a public cemetery district in the County of Tulare to adopt a resolution to remove a trustee for substantial neglect of duty, gross misconduct in office, or causing the board to be unable to discharge its duties. The resolution must specify the reason for removal. SB 1115 specifies that the trustee who is subject to removal cannot vote on their own removal.

Prior to removal, the board of trustees must provide to the trustee:

- The reasons for their proposed removal, in writing;
- At least one week's written notice of the public meeting where the board of trustees will vote on their proposed removal; and
- The opportunity to respond to or rebut the reasons for their removal in writing and at the public meeting.

SB 1115 also allows the Tulare County Board of Supervisors (County Board) to adopt a resolution proposing the removal of a trustee from the board of trustees of a public cemetery in the County of Tulare. Within 60 days of adopting the resolution, the County Board must consider the resolution at a public hearing. The County Board must give notice of its hearing by publishing a notice in at least one newspaper of general circulation within the jurisdiction of the district at least 10 days before the hearing. Also, the County Board must mail the notice at least 10 days before the hearing to the district and any other person who has filed a written request for notice with the clerk of the County Board.

At the public hearing, the County Board must receive and consider any written or oral comments regarding the resolution. After receiving and considering those comments the County Board may adopt a resolution that orders the removal of the trustee.

If either the board of trustees or the County Board adopt a resolution that orders the removal of the trustee, the County Board must promptly appoint a person to the board of trustees to fulfill the remaining term of office, consistent with the original process.

Comments

1. Purpose of the bill. According to the author, "Recent dysfunction and management failures at the Tulare County Public Cemetery District have exposed critical gaps in existing law, leaving

the Board of Supervisors without clear authority to address substantial neglect of duty, misconduct, or situations that prevented the board from fulfilling its responsibilities to the community. SB 1115 provides a targeted solution by authorizing Tulare County Supervisors to remove a trustee for specified causes through a resolution, while ensuring due process with proper notice and an opportunity for the trustee to respond.”

2. Stay tumbled. Under existing law, public cemetery districts operate as separate local governments entities with a degree of autonomy. However, the governance challenges faced by the Tulare Public Cemetery District highlight limitations in the available governance tools, leaving the Tulare Board of Supervisors with two options to address trustee misconduct: do nothing or remove all the trustees and appoint itself as the cemetery district board. SB 1115 gives the Tulare County Board a third option, remove a trustee individually and then appoint a replacement. Opponents argue SB 1115 sets a precedent for increased county intervention in an appointed-independent special district. However, the board of supervisors already have the authority to select appointees for the board, remove all the trustees en masse, and appoint new trustees. The only difference in the authority granted by SB 1115 is that it allows the trustees to be removed on a one-on-one basis. The bill also authorizes cemetery districts to remove a trustee themselves prior to the county taking action, giving the board of trustees the opportunity to resolve issues on their own. Does SB 1115 meaningfully undermine the independence of cemetery districts?

3. Special legislation. The California Constitution prohibits special legislation when a general law can apply (Article IV, §16). SB 1115 finds and declares that legislation that applies only to Tulare County is needed due to the unique circumstances facing the County of Tulare.

Support and Opposition (4/24/2026)

Support: County of Tulare (Sponsor)
City of Tulare

Opposition: California Special Districts Association

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