

UNFINISHED BUSINESS

Bill No: SB 1115
Author: Grove (R)
Amended: 8/11/26
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 4/29/26

AYES: Durazo, Choi, Arreguín, Ashby, Cervantes, Laird, Seyarto

SENATE FLOOR: 38-0, 5/18/26

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Niello, Padilla

ASSEMBLY FLOOR: 72-0, 8/17/26 - See last page for vote

SUBJECT: Public cemetery districts: board of trustees: County of Tulare

SOURCE: County of Tulare

DIGEST: This bill allows a public cemetery district in Tulare County or the County of Tulare Board of Supervisors to remove a trustee.

Assembly Amendments of 8/11/26:

- 1) Do not allow Tulare County Board of Supervisors to consider how a trustee has voted on any specific issue or action before the board of trustees as evidence or reason for the removal except to the extent that the vote or action is evidence of a prohibited conflict of interest or other violation of law;
- 2) Tulare County Board of Supervisors may adopt a resolution proposing to remove a trustee for substantial neglect of duty, gross misconduct in office, or causing the board to be unable to discharge its duties;

- 3) Tulare County Board of Supervisors may adopt a resolution that orders the removal of the trustee subject to the protest requirements, as specified.

ANALYSIS:

Existing law:

- 1) Public Cemetery District Law, contains various provisions relating to the establishment of public cemetery districts, including the formation of a district, the selection of a district governing board, and the powers and duties of the board
- 2) Sets the term of office for a member of the board of trustees at 4 years, subject to certain exceptions,
- 3) Prohibits a board of supervisors from reducing the term of office of a trustee once the trustee has been appointed to that term.

This bill:

- 1) Authorizes the board of trustees of a public cemetery district in the County of Tulare to adopt a resolution to remove a trustee for specified causes, including substantial neglect of duty, gross misconduct in office, or causing the board to be unable to discharge its duties,
 - a) A trustee who is subject of removal, cannot vote on their own removal;
 - b) Entitles the trustee to notice and opportunity to respond to the proposed removal,
- 2) Requires, if a board of trustees of a public cemetery district in the County of Tulare adopts a resolution that orders the removal of a trustee, the Tulare County Board of Supervisors to promptly appoint a person to the board of trustees to fulfill the remaining term of office, as specified.
- 3) Authorizes the Tulare County Board of Supervisors to adopt a resolution proposing to remove a trustee from the board of trustees of a public cemetery district in the County of Tulare for substantial neglect of duty, gross misconduct in office, or causing the board to be able unable to discharge its duties,
- 4) Requires the resolution to be considered at a public hearing, as specified,

- 5) Authorizes after receiving and considering comments at the public hearing, the Tulare County Board of Supervisors to adopt a resolution that orders the removal of the trustee subject to the following requirements,
- a) If a district has a board of trustees appointed by the board of supervisors, at the conclusion of the hearing, the board of supervisors must have a finding regarding the value of written protests filed and not withdrawn.
 - b) Board of supervisors must take one of the following actions:
 - i) If the written protests filed and not withdrawn are 10% of the registered voters of the district, adopt a resolution, by a majority vote, that orders the removal of the trustee;
 - ii) If the written protests filed and not withdrawn are 10% or more of the registered voters of the district, determine that the proposed change in governance is necessary to protect the public health, safety, and welfare. If the board of supervisors makes that determination, the board of supervisors may override those protests and, by a 4/5 vote, adopt a resolution that orders the removal of the trustee;
 - iii) If the board of supervisors does not a resolution, the board of supervisors must adopt a resolution that terminates the proceedings to change the governance of the district.
- 6) Requires, if the Tulare County Board of Supervisors adopts a resolution that orders the removal of the trustee, the board of supervisors to promptly appoint a person to the board of trustees to fulfill the remaining term of office, as specified.

Background

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.

Comments

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."

Stay tombed. 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?

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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/17/26)

County of Tulare (Source)

City of Tulare

OPPOSITION: (Verified 8/17/26)

None received

ASSEMBLY FLOOR: 72-0, 8/17/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hoover, Irwin, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bonta, Bryan, Hart, Jackson, Lee, Quirk-Silva, Wicks

Prepared by: Itzel Vargas / L. GOV. / (916) 651-4119
8/17/26 16:46:46

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