



AN ACT GENERALLY REVISING FUNERAL TRUST LAWS; REQUIRING FUNERAL TRUST FUNDS TO COMPLY WITH THE PRUDENT INVESTOR RULE; AND AMENDING SECTION 37-19-828, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-19-828, MCA, is amended to read:

"37-19-828. Funeral trust fund -- deposit of money. (1) (a) A party that provides services pursuant to a contract for a prearranged funeral or related services and that receives money under the contract shall deposit the money within 10 business days of receipt in a banking institution or invest the money in the stock of a savings or building and loan association or in the shares of a credit union.

(b) The banking institution, savings or building and loan association, or credit union shall maintain an office in this state and must be organized under the laws of this state, of another state, or of the United States.

(c) Deposits or investments made as provided in this section ~~must be insured by an instrumentality of the federal government~~ must comply with the prudent investor rule provided for in Title 72, chapter 38, part 9. The rule may not be waived.

(2) Deposits or investments made pursuant to this section constitute a trust fund for the benefit of the person contracting for the prearranged funeral or related services. The money must be placed in a separate account in the name of the depositor as trustee for the person contracting for the prearranged funeral or related services."

- END -

I hereby certify that the within bill,
SB 305, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2025.

Speaker of the House

Signed this _____ day
of _____, 2025.

SENATE BILL NO. 305

INTRODUCED BY M. CUFFE

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