

## Duties of Cemetery Sextons

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### Issue

What are the statutory duties of cemetery sextons, and who appoints them? What are the penalties for sextons who violate their statutory duties? This report updates and expands upon [OLR Report 1994-R-0539](#).

### Summary

Connecticut law establishes certain duties for cemetery sextons, including permit processing and reporting requirements ([CGS § 7-66](#)). It also sets penalties for sextons who violate these statutory duties, which are described below.

Under Connecticut law, town selectmen, cemetery associations, or ecclesiastical societies with cemeteries in their care may appoint superintendents and sextons for the cemeteries ([CGS § 19a-297](#)). The secretary or committee of each cemetery association must report the sexton's name to the town registrar in which the cemetery is situated ([CGS § 7-71](#)).

### Sexton Duties

Superintendents and sextons have the exclusive right to direct the opening of graves ([CGS § 19a-297](#)). The sexton records the dates bodies are placed in receiving vaults and later buried, and the locations of interments (burials) completed at the sexton's cemetery ([CGS § 7-66](#)). A sexton may also be in charge of disinterment and reinterment of a body. Under certain circumstances following disinterment of the remains of a child, the chief medical examiner may consult with a sexton to determine whether the remains are sufficiently identifiable for reinterment elsewhere ([CGS § 7-68a](#)).

Additionally, a sexton has various permit processing and reporting requirements under the law.

### ***Permit Processing Requirements***

By law, sextons must specify the section, lot, or grave or other place of interment on the required removal, transit, and burial (RTB) permit. If the death is recorded in an electronic death registry system, sextons must electronically record the place of burial within three days of the burial. Sextons in charge of reintering a body must also complete a disinterment permit in accordance with state law. A completed and signed paper RTB or disinterment permit must be sent to the town registrar where the body is buried (original) and where the death occurred (copy) by the first week of the month after interment or disinterment ([CGS § 7-66\(a\)](#)).

For bodies held in cemetery vaults and buried in the same cemetery, no additional RTB permit is required but the sexton must include on the permit the date when the body was placed in the receiving vault and the date and location of the burial. If the burial occurs at a different cemetery or if the body is cremated, the sexton must return the original RTB permit to the town registrar where the death occurred, who must issue another RTB permit or a cremation permit if necessary ([CGS § 7-66\(b\)](#)).

### ***Reporting Requirements***

By law, sextons must report all interments, disinterments, and removals made to the registrar of the town in which the cemetery is located. This requirement can be met by either electronically entering the information in an electronic death registry system or by providing monthly lists of all paper permit actions. Such lists are due during the first week of the month following the month in which the sexton completed the interments, disinterments, and removals of bodies in temporary receiving vaults ([CGS § 7-66\(c\)](#)).

### ***Penalties***

A sexton who violates his or her permit processing duties commits a class D felony, which is punishable by imprisonment of up to five years, a fine of up to \$5,000, or both. Also, any sexton who fails to file the monthly report to the appropriate town registrar by the end of the third week of a month is subject to a fine of up to \$100 per day ([CGS § 7-66\(d\)](#)).

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