§ 292-a. Cemetery and funeral home combinations. 1. No town shall, directly or indirectly:

(a) sell, or have, enter into or perform a lease of any of its real property dedicated to cemetery purposes or adjacent thereto to a funeral entity, or use any of its property for location of a funeral entity;

(b) commingle funds used for cemetery purposes with a funeral entity;

(c) direct or carry on its cemetery related business or affairs with a funeral entity;

(d) authorize control of its cemetery related business or affairs by a funeral entity;

(e) engage in any sale or cross-marketing of goods or services with a funeral entity;

(f) have, enter into or perform a management or service contract for cemetery operations with a funeral entity; or

(g) have, enter into or perform a management contract with any entity other than a not-for-profit or religious corporation, or governmental entity.

2. Only the provisions of paragraphs (a) and (b) of subdivision one of this section shall apply to towns with thirty acres or less of real property dedicated to cemetery purposes, and only to the extent the sale or lease is of real property dedicated to cemetery purposes, and such cemeteries shall not engage in the sale of funeral home goods or services, except if such goods and services are otherwise permitted to be sold by cemeteries.

3. For the purposes of this section, "funeral entity" means a person, partnership, corporation, limited liability company or other form of business organization providing funeral home services, or owning, controlling, conducting or affiliated with a funeral home, any subsidiary thereof or any officer, director or stockholder having a ten per centum or greater proprietary, beneficial, equitable or credit interest in a funeral home.