(3) WHERE BURIAL LOTS HAVE BEEN OUTLINED ON A PLAT OR IN A RECORD OR SALES BROCHURE.

(B) TRUST FUND REQUIRED.

(1) EACH CEMETERY OWNER WHO SELLS OR OFFERS TO SELL TO THE PUBLIC A BURIAL LOT OR BURIAL RIGHT IN A CEMETERY AS TO WHICH PERPETUAL CARE IS STATED OR IMPLIED SHALL HAVE A PERPETUAL CARE TRUST FUND.

(2) A SEPARATE TRUST FUND SHALL BE ESTABLISHED FOR EACH CEMETERY TO WHICH THIS SECTION APPLIES.

(C) INITIAL DEPOSIT.

EACH CEMETERY OWNER INITIALLY SHALL DEPOSIT IN THE TRUST FUND AT LEAST:

(1) $10,000, IF THE DEVELOPED LAND AREA OF THE CEMETERY IS 10 ACRES OR LESS; OR

(2) $25,000, IF THE DEVELOPED LAND AREA OF THE CEMETERY IS MORE THAN 10 ACRES.

(D) DEPOSIT FROM SALES.

(1) THE DEPOSITS REQUIRED BY THIS SUBSECTION ARE IN ADDITION TO THE DEPOSITS REQUIRED BY SUBSECTION (C) OF THIS SECTION.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, WITHIN 30 DAYS AFTER THE END OF THE MONTH WHEN THE BUYER OF A BURIAL LOT, ABOVE-GROUND CRYPT, NICHE, OR BURIAL RIGHT MAKES A FINAL PAYMENT, THE CEMETERY OWNER SHALL PAY IN CASH TO THE TRUSTEE FOR DEPOSIT IN THE TRUST FUND AT LEAST THE GREATER OF:

(I) 10% OF THE SELLING PRICE OF EACH BURIAL LOT, ABOVE-GROUND CRYPT, NICHE, OR BURIAL RIGHT SOLD; OR

(II) 35 CENTS FOR EACH SQUARE FOOT OF LAND BURIAL SPACE.

(3) THIS SUBSECTION DOES NOT APPLY TO THE RESALE OF A BURIAL LOT, ABOVE-GROUND CRYPT, NICHE, OR BURIAL RIGHT FOR WHICH THE CEMETERY ALREADY HAS PAID INTO THE TRUST FUND THE DEPOSIT REQUIRED BY THIS SUBSECTION.

(E) USE.

THE INCOME FROM THE TRUST FUND: