

Regular Session, 2010

HOUSE BILL NO. 436

BY REPRESENTATIVE RITCHIE

FUNERALS & FUNERAL HOMES: Provides for changes to the qualifications for licensure by the La. State Board of Embalmers and Funeral Directors

1 AN ACT

2 To amend and reenact R.S. 37:842(A)(1), 848(C), and 872(B)(1), relative to licenses issued  
3 by the Louisiana State Board of Embalmers and Funeral Directors; to repeal the  
4 licensure requirement that a funeral director be a resident of Louisiana; to repeal the  
5 licensure requirement that a crematory retort operator be a resident of Louisiana; to  
6 require funeral directing or embalming businesses to be licensed Louisiana  
7 establishments; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:842(A)(1), 848(C), and 872(B)(1) are hereby amended and  
10 reenacted to read as follows:

11 §842. Minimum qualifications for license

12 A. Any applicant shall be qualified for license as funeral director if he:

13 (1) Is ~~a resident of Louisiana, and~~ twenty-one years of age or at least  
14 eighteen years of age and legally emancipated.

15 \* \* \*

16 §848. Unlawful practice

17 \* \* \*

18 C. It shall be unlawful for anyone to engage in the business of funeral  
19 directing or embalming as defined in R.S. 37:831 unless such business is conducted  
20 by a duly licensed Louisiana funeral establishment.

21 \* \* \*

1 §872. Qualifications for licensure of a crematory retort operator; exception;  
2 compliance with other regulations

3 \* \* \*

4 B. In order to receive a license as a crematory retort operator, a person shall  
5 meet all of the following requirements:

6 (1) Be a resident of Louisiana, who is at least twenty-one years old, or is at  
7 least eighteen years old and is legally emancipated.

8 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Ritchie

HB No. 436

**Abstract:** Repeals the licensure requirement that a funeral director be a resident of La. Repeals the licensure requirement that a crematory retort operator be a resident of La. Prohibits anyone from engaging in the business of funeral directing or embalming unless the business is conducted by a duly licensed La. funeral establishment.

Present law provides that any applicant shall be qualified for licensuree as funeral director if the applicant:

- (1) Is a resident of La., and 21 years of age or at least 18 years of age and legally emancipated.
- (2) Is found to be of good moral character and temperate habits.
- (3) Has successfully completed 30 semester hours in an accredited college or university.
- (4) Has served as an apprentice for a period of not less than one year in the state of La.
- (5) Has paid the application fee.
- (6) Passes satisfactorily an examination to practice the profession of funeral directing.

Proposed law deletes the requirement that a funeral director be a resident of Louisiana.

Present law prohibits anyone from engaging in the business of funeral directing or embalming as defined in present law unless the business is conducted by a duly licensed funeral establishment.

Proposed law retains present law but adds the requirement that the funeral establishment be located in La.

Present law provides that, in order to receive a license as a crematory retort operator, an applicant shall meet all of the following requirements:

- (1) Be a resident of La. who is at least 21 years old or is at least 18 years old and is legally emancipated.
- (2) Is found to be of good moral character and possesses temperate habits.
- (3) Is a graduate of a high school as evidenced by a diploma or general education development certificate.
- (4) Has successfully completed a required training course.
- (5) Has submitted evidence of the attainment of all necessary licenses and permits as required by the appropriate local, state, and federal agencies.
- (6) Has submitted the appropriate application along with the appropriate license fee.

Proposed law deletes the requirement that a crematory retort operator be a resident of La.

(Amends R.S. 37:842(A)(1), 848(C), and 872(B)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Added the prohibition that no person shall engage in the business of funeral directing or embalming unless the business is conducted by a duly licensed La. funeral establishment.