

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4010

(SENATE AUTHORS: HOFFMAN)

DATE
02/20/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to funerals; excluding travel protection agreements to certain provisions;
1.3 amending Minnesota Statutes 2022, sections 149A.02, subdivisions 3b, 23, by
1.4 adding a subdivision; 149A.97, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 149A.02, subdivision 3b, is amended to read:

1.7 Subd. 3b. **Burial site services.** "Burial site services" means any services sold or offered
1.8 for sale directly to the public for use in connection with the final disposition of a dead human
1.9 body but does not include services provided under a transportation protection agreement.

1.10 Sec. 2. Minnesota Statutes 2022, section 149A.02, subdivision 23, is amended to read:

1.11 Subd. 23. **Funeral services.** (a) "Funeral services" means any services which may be
1.12 used to: (1) care for and prepare dead human bodies for burial, alkaline hydrolysis, cremation,
1.13 or other final disposition; and (2) arrange, supervise, or conduct the funeral ceremony or
1.14 the final disposition of dead human bodies.

1.15 (b) Funeral service does not include a travel protection agreement.

1.16 Sec. 3. Minnesota Statutes 2022, section 149A.02, is amended by adding a subdivision to
1.17 read:

1.18 Subd. 38a. **Transportation protection agreement.** "Transportation protection agreement"
1.19 means an agreement that is primarily for the purpose of transportation and subsequent
1.20 transportation of the remains of a dead human body.

2.1 Sec. 4. Minnesota Statutes 2022, section 149A.97, subdivision 2, is amended to read:

2.2 Subd. 2. **Scope and requirements.** This section shall not apply to a travel protection
2.3 agreement or to any funeral goods or burial site goods purchased and delivered, either at
2.4 purchase or within a commercially reasonable amount of time thereafter. When prior to the
2.5 death of any person, that person or another, on behalf of that person, enters into any
2.6 transaction, makes a contract, or any series or combination of transactions or contracts with
2.7 a funeral provider lawfully doing business in Minnesota, other than an insurance company
2.8 licensed to do business in Minnesota selling approved insurance or annuity products, by
2.9 the terms of which, goods or services related to the final disposition of that person will be
2.10 furnished at-need, then the total of all money paid by the terms of the transaction, contract,
2.11 or series or combination of transactions or contracts shall be held in trust for the purpose
2.12 for which it has been paid. The person for whose benefit the money was paid shall be known
2.13 as the beneficiary, the person or persons who paid the money shall be known as the purchaser,
2.14 and the funeral provider shall be known as the depositor.