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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1130 Session of  
2017

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INTRODUCED BY SANTORA, O'BRIEN, MILLARD, CHARLTON, DRISCOLL,  
READSHAW, DeLUCA AND DOWLING, APRIL 19, 2017

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 19, 2017

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AN ACT

1 Amending the act of August 14, 1963 (P.L.1059, No.459), entitled  
2 "An act prohibiting future need sales of cemetery merchandise  
3 and services, funeral merchandise and services, except under  
4 certain conditions; requiring the establishment of and  
5 deposit into a merchandise trust fund of certain amount of  
6 the proceeds of any such sale; providing for the  
7 administration of such trust funds and the payment of money  
8 therefrom; conferring powers and imposing duties on orphans'  
9 courts, and prescribing penalties," further providing for  
10 merchandise trust fund; and prohibiting constructive or  
11 preneed delivery of burial vaults.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Section 2 of the act of August 14, 1963  
15 (P.L.1059, No.459), referred to as the Cemetery and Funeral  
16 Merchandise Trust Fund Law, is amended by adding a subsection to  
17 read:

18 Section 2. \* \* \*

19 (a.1) A seller shall provide price lists and detailed  
20 descriptions of all merchandise offered by a seller to a person  
21 who inquires about the merchandise.

22 (1) A seller shall provide the price lists and descriptions

1 required under this subsection to a person, in writing, upon  
2 beginning discussion of, but prior to, the showing of the  
3 merchandise. Information that must be provided shall include:

4 (i) The retail price of all merchandise, including caskets,  
5 alternative containers and outer burial containers, such as lawn  
6 crypts, that are offered by a seller and do not require special  
7 ordering.

8 (ii) Descriptive information sufficient to identify and  
9 compare individual items.

10 (iii) All fees imposed by a seller including processing  
11 fees, delivery fees, installation fees, inspection fees or road  
12 maintenance fees or any other fee that may be charged when a  
13 person purchases merchandise from a seller.

14 (iv) The effective date for the price list.

15 (v) The name and address of the seller.

16 (vi) A heading describing the type of merchandise contained  
17 on the list.

18 (2) A seller may satisfy the requirements of this subsection  
19 with a single list if all of the required information is  
20 contained on the list.

21 (3) Notebooks, brochures, charts or other formats may be  
22 used to satisfy the requirements of this subsection.

23 Notwithstanding the format, the information required under this  
24 subsection must be displayed in a clear and conspicuous manner.

25 \* \* \*

26 Section 2. The act is amended by adding a section to read:

27 Section 3.1. Constructive or preneed delivery of burial  
28 vaults is prohibited. This prohibition shall not apply to lawn  
29 crypts.

30 Section 3. This act shall take effect in 60 days.