

AMENDED IN ASSEMBLY APRIL 22, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 180**

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**Introduced by ~~Committee on Business and Professions~~ (Assembly Members ~~Bonilla (Chair), Bloom, Dodd, Gatto, Holden, Mullin, Ting, and Wood~~) Assembly Member *Bonilla*  
(Coauthor: Senator Hill)**

January 26, 2015

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An act to amend Section 9625 of *of*, and to amend and repeal Section 9613 of, the Business and Professions Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 180, as amended, ~~Committee on Business and Professions~~ *Bonilla*. Cemetery and Funeral Bureau.

The Cemetery Act provides for the licensure and regulation of cemeteries, crematories, and their personnel by the Cemetery and Funeral ~~Bureau that Bureau~~, which is within the Department of Consumer Affairs. The act authorizes the Director of Consumer Affairs with the approval of the Director of Finance to appoint a chief of the bureau who is vested with the duty to enforce the act and serves at the pleasure of the director. *The act also required the bureau to survey each of its licensees to obtain information to determine if the endowment care fund levels of the licensee's cemetery are sufficient to cover the cost of future operation, as specified, and report its findings and recommendations to the Legislature by January 1, 2008.*

This bill would provide that the powers and duties of the bureau under the act are subject to review by the appropriate policy committees of the Legislature and that the review is required to be performed as if the act is scheduled to be repealed on January 1, 2020. *The bill would*

*require the bureau to conduct a study to obtain information to determine if the endowment care fund levels of its licensees' cemeteries are sufficient to cover the cost of future operation, as specified, and report its findings and recommendations to the Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business and Professions by November 1, 2018. The bill would repeal that reporting requirement on January 1, 2020.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 9613 of the Business and Professions  
 2 Code is amended to read:

3 9613. (a) The bureau shall ~~survey each of its licensees~~ *conduct*  
 4 *a study* to obtain information to determine if the endowment care  
 5 fund levels of ~~the~~ *each* licensee's cemetery are sufficient to cover  
 6 the cost of future operation. The bureau shall also review the levels  
 7 of endowment care funds that have previously been reported  
 8 pursuant to this chapter by licensed cemeteries.

9 (b) The bureau shall report its findings and recommendations  
 10 ~~to the Legislature by January 1, 2008.~~ *Senate Committee on*  
 11 *Business, Professions and Economic Development and the*  
 12 *Assembly Committee on Business and Professions by November*  
 13 *1, 2018.*

14 (c) *This section shall remain in effect only until January 1, 2020,*  
 15 *and as of that date is repealed.*

16 ~~SECTION 1.~~

17 SEC. 2. Section 9625 of the Business and Professions Code is  
 18 amended to read:

19 9625. (a) There is in the department, the Cemetery and Funeral  
 20 Bureau, under the supervision and control of the director.

21 (b) The director may appoint a chief at a salary to be fixed and  
 22 determined by the director, with the approval of the Director of  
 23 Finance. The duty of enforcing and administering this chapter is  
 24 vested in the chief, and he or she is responsible to the director  
 25 therefor. The chief shall serve at the pleasure of the director.

26 (c) Notwithstanding any other law, the powers and duties of the  
 27 bureau, as set forth in this chapter, shall be subject to review by  
 28 the appropriate policy committees of the Legislature. The review

- 1 shall be performed as if this chapter were scheduled to be repealed
- 2 on January 1, 2020.

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