

AMENDED IN ASSEMBLY MAY 2, 1996
AMENDED IN ASSEMBLY APRIL 18, 1996
AMENDED IN ASSEMBLY MARCH 28, 1996

CALIFORNIA LEGISLATURE—1995-96 REGULAR SESSION

ASSEMBLY BILL

No. 2877

Introduced by Assembly Member Davis

February 22, 1996

An act to amend Sections 7615, 7616, 7617, 7618, 7619, 7621, 7622, 7624, 7628, 7630, 7641, 7643, 7646, 7649, 7660, 7662, 7664, 7665, 7666, 7667, 7668, 7669, 7670, and 7729 of, to add Sections 7616.2, 7619.2, 7622.2, 7622.3, 7635, and 7651 to, ~~to add Article 2.5 (commencing with Section 7635) to Chapter 12 of Division 3 of,~~ to repeal and add Sections 7647 and 7671 of, and to repeal Section 7666.5 of, the Business and Professions Code, relating to funeral establishments, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2877, as amended, Davis. Funeral establishments.

Existing law provides that the Department of Consumer Affairs succeeds to, and is vested with, all the duties, powers, purpose, responsibilities, and jurisdiction of the Funeral Directors and Embalmers Board as of January 1, 1996, in the absence of a consolidation of this board with the Cemetery Board or other restructuring of the boards.

The Funeral Directors and Embalmers Law provides for the licensure and regulation of funeral directors and embalmers, as specified.

This bill would provide for licensing of funeral establishments in addition to funeral directors and embalmers, and would require a licensed funeral establishment to employ a licensed funeral director. *This bill would authorize licensed funeral establishments within close geographical proximity to each other to request the board to allow a licensed funeral director to manage, direct, or control more than one facility.* The bill would also revise various education, examination, and other licensing requirements applicable to embalmers, embalmers' apprentices, and funeral directors, as specified.

This bill would also require any person employed by, or an agent of, a licensed funeral establishment who consults with a family of a deceased person or its representatives concerning the arranging of funeral services to receive documented training and instructions on laws, rules, and regulations pertaining to specified subjects.

A violation of any of the provisions of the Funeral Directors and Embalmers Law is a misdemeanor. This bill would therefore create new crimes and thus impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would specify certain application and license renewal fees for funeral establishments and arrangement counselors and revise fees applicable to these and other licensees. Existing provisions of the Business and Professions Code continuously appropriate moneys in the State Funeral Directors and Embalmers Fund. Because this bill would increase the amount of moneys in that fund, it would constitute an appropriation.

The bill would become operative on July 1, 1997.



Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 7615 of the Business and
2 Professions Code is amended to read:

3 7615. A funeral director is a person engaged in or
4 conducting, or holding himself or herself out as engaged
5 in any of the following:

6 (a) Preparing for the transportation or burial or
7 disposal, or directing and supervising for transportation
8 or burial or disposal of human remains.

9 (b) Maintaining an establishment for the preparation
10 for the transportation or disposition or for the care of
11 human remains.

12 (c) Using, in connection with his or her name, the
13 words “funeral director,” or “undertaker,” or
14 “mortician,” or any other title implying that he or she is
15 engaged as a funeral director.

16 SEC. 2. Section 7616 of the Business and Professions
17 Code is amended to read:

18 7616. (a) A licensed funeral establishment is a place
19 of business conducted in a building or separate portion of
20 a building having a specific street address or location and
21 devoted exclusively to those activities as are incident,
22 convenient, or related to the preparation and
23 arrangements, financial and otherwise, for the funeral,
24 transportation, burial or other disposition of human
25 remains and including, but not limited to, any of the
26 following:

27 (1) A suitable room for the storage of human remains,
28 or

29 (2) A preparation room equipped with a sanitary
30 flooring and necessary drainage and ventilation and
31 containing necessary instruments and supplies for the
32 preparation, sanitation, or embalming of human remains
33 for burial or transportation.

34 (b) Licensed funeral establishments under common
35 ownership or by contractual agreement within close



1 geographical proximity of each other shall be deemed to
2 be in compliance with the requirements of paragraph (1)
3 or (2) of subdivision (a) if at least one of the
4 establishments has a room described in those paragraphs.

5 (c) Except as provided in Section 7609 of this code, and
6 except accredited embalming schools and colleges
7 engaged in teaching students the art of embalming, no
8 person shall operate or maintain or hold himself or herself
9 out as operating or maintaining any of the facilities
10 specified in paragraph (2) of subdivision (a) of this
11 section, unless he or she is licensed as a funeral director.

12 (d) Nothing in this section shall be construed to
13 require a funeral establishment to conduct its business or
14 financial transactions at the same location as its
15 preparation or storage of human remains.

16 (e) Nothing in this chapter shall be deemed to render
17 unlawful the conduct of any ambulance service from the
18 same premises as those on which a licensed funeral
19 establishment is conducted, including the maintenance
20 in connection with the funeral establishment of garages
21 for the ambulances and living quarters for ambulance
22 drivers.

23 SEC. 3. Section 7616.2 is added to the Business and
24 Professions Code, to read:

25 7616.2. A licensed funeral establishment shall at all
26 times employ a licensed funeral director to manage,
27 direct, or control its business or profession.
28 *Notwithstanding any other provisions of this chapter,*
29 *licensed funeral establishments within close geographical*
30 *proximity of each other, may request the board to allow*
31 *a licensed funeral director to manage, direct, or control*
32 *the business or profession of more than one facility.*

33 SEC. 4. Section 7617 of the Business and Professions
34 Code is amended to read:

35 7617. The business of a licensed funeral establishment
36 shall be conducted and engaged in at a fixed place or
37 facility.

38 No person, partnership, association, corporation, or
39 other organization shall open or maintain a place or
40 establishment at which to engage in or conduct, or hold



1 himself or herself or itself out as engaging in or
2 conducting, the business of a funeral establishment
3 without a license.

4 SEC. 5. Section 7618 of the Business and Professions
5 Code is amended to read:

6 7618. An application for a funeral director's license
7 shall be written on a form provided by the board, verified
8 by the applicant, accompanied by the fee fixed by this
9 chapter and filed at its Sacramento office.

10 SEC. 6. Section 7619 of the Business and Professions
11 Code is amended to read:

12 7619. The applicant for a funeral director's license
13 shall be at least 18 years of age, possess an associate of arts
14 or science degree, or the equivalent, or a higher level of
15 education as recognized by the Western Association of
16 Colleges and Universities, or any other nationally
17 recognized accrediting body of colleges and universities,
18 and shall not have committed acts or crimes constituting
19 grounds for denial of licensure under Section 480.

20 SEC. 7. Section 7619.2 is added to the Business and
21 Professions Code, to read:

22 7619.2. The board shall grant a funeral director's
23 license to any applicant who complies with this article,
24 notwithstanding Section 7619, if the applicant can
25 demonstrate that he or she has complied with Section
26 7622 on or before July 1, 1999.

27 SEC. 8. Section 7621 of the Business and Professions
28 Code is amended to read:

29 7621. The applicant shall also furnish the board with
30 satisfactory proof that the facility in which he or she
31 intends to conduct business as a funeral director is or will
32 be constructed, equipped and maintained in all respects
33 as a licensed funeral establishment as defined in this
34 chapter.

35 SEC. 9. Section 7622 of the Business and Professions
36 Code is amended to read:

37 7622. Before an individual is granted a funeral
38 director's license, he or she shall successfully pass an
39 examination upon the following subjects:

40 (a) The signs of death.



1 (b) The manner by which death may be determined.

2 (c) The laws governing the preparation, burial and
 3 disposal of dead human bodies, and the shipment of
 4 bodies dying from infectious or contagious diseases.

5 (d) Local health and sanitary ordinances and
 6 regulations relating to funeral directing and embalming.

7 SEC. 10. Section 7622.2 is added to the Business and
 8 Professions Code, to read:

9 7622.2. No person, partnership, association,
 10 corporation, or other organization shall open or maintain
 11 a place or establishment at which to engage in or conduct,
 12 or hold himself, herself, or itself out as engaging in or
 13 conducting, the activities of a funeral director without a
 14 license.

15 SEC. 11. Section 7622.3 is added to the Business and
 16 Professions Code, to read:

17 7622.3. The board shall adopt regulations requiring
 18 continuing education ~~for~~ *of not more than 12 hours per*
 19 *year for licensed* funeral directors.

20 SEC. 12. Section 7624 of the Business and Professions
 21 Code is amended to read:

22 7624. Not more than one person, partnership,
 23 association, corporation, or other organization engaged in
 24 business as a funeral establishment shall transact business
 25 in one specific funeral facility.

26 SEC. 13. Section 7628 of the Business and Professions
 27 Code is amended to read:

28 7628. Any person, partnership, association,
 29 corporation, or other organization desiring to change the
 30 location of his, hers, or its licensed funeral establishment
 31 shall apply therefor on forms furnished by the board and
 32 shall include a fee fixed by this chapter.

33 The application shall be granted by the executive
 34 officer upon the filing with the board of a favorable
 35 report, approved by the executive officer, from a board
 36 member, except a public member, or inspector
 37 concerning the physical status or plans and specifications
 38 of the proposed licensed funeral establishment to the
 39 effect that it conforms to the requirements of this article.
 40 Every application so granted shall be submitted for



1 approval at the next meeting of the board after the
2 issuance thereof, and no application for change of place
3 of business shall become permanent until approved by
4 the board.

5 SEC. 14. Section 7630 of the Business and Professions
6 Code is amended to read:

7 7630. A funeral establishment's license may be
8 assigned upon payment of the fee fixed by this chapter
9 and upon compliance with Section 7616.2. However, an
10 audit shall be conducted of the firm's preneed trust funds
11 and any shortages in those funds shall be funded.

12 The assignee has the right to renew the license.

13 ~~SEC. 15. Article 2.5 (commencing with Section 7635)~~
14 ~~is added to Chapter 12 of Division 3 of the Business and~~
15 ~~Professions Code, to read:~~

16
17 ~~Article 2.5. Arrangement Counselors~~

18
19 *SEC. 15. Section 7635 is added to the Business and*
20 *Professions Code, to read:*

21 7635. Any person employed by, or an agent of, a
22 licensed funeral establishment, who consults with the
23 family or representatives of a family of a deceased person
24 for the purpose of arranging for services as set forth in
25 subdivision (a) of Section 7615, shall receive documented
26 training and instruction which results in a demonstrated
27 knowledge of all applicable federal and state laws, rules,
28 and regulations including those provisions dealing with
29 vital statistics, the coroner, anatomical gifts, and other
30 laws, rules, and regulations pertaining to the duties of a
31 funeral director. A written outline of the training
32 program, including documented evidence of the training
33 time, place, and participants, shall be maintained in the
34 funeral establishment and shall be available for
35 inspection and comment by an inspector of the board.

36 ~~7636. The board shall adopt regulations requiring~~
37 ~~continuing education for arrangement counselors.~~

38 SEC. 16. Section 7641 of the Business and Professions
39 Code is amended to read:



1 7641. It is unlawful for any person to embalm a body,
2 or engage in, or hold himself or herself out as engaged in
3 practice as an embalmer, unless he or she is licensed by
4 the board; provided, however, that this section shall have
5 no effect on students and instructors of embalming in
6 embalming colleges approved by the board.

7 SEC. 17. Section 7643 of the Business and Professions
8 Code is amended to read:

9 7643. In order to qualify for a license as an embalmer,
10 the applicant shall comply with all of the following
11 requirements:

- 12 (a) Be over 18 years of age.
- 13 (b) Not have committed acts or crimes constituting
14 grounds for denial of licensure under Section 480.
- 15 (c) Furnish proof showing completion of a high school
16 course or instead he or she may furnish the board with
17 evidence that he or she has been licensed and has
18 practiced as an embalmer for a minimum of three years
19 within the seven years preceding his or her application in
20 any other state or country and that the license has never
21 been suspended or revoked for unethical conduct.
- 22 (d) Have completed at least two years of
23 apprenticeship under an embalmer licensed and
24 engaged in practice as an embalmer in this state in a
25 funeral establishment which shall have been approved
26 for apprentices by the board and while so apprenticed
27 shall have assisted in embalming not fewer than 100
28 human remains; provided, however, that a person who
29 has been licensed and has practiced as an embalmer for
30 a minimum of three years within the seven years
31 preceding his or her application in any other state or
32 country and whose license has never been suspended or
33 revoked for unethical conduct shall not be required to
34 serve any apprenticeship in this state.
- 35 (e) Have successfully completed a course of
36 instruction of not less than one academic year in an
37 embalming school approved by the board and accredited
38 by the American Board of Funeral Service Education.

39 SEC. 18. Section 7646 of the Business and Professions
40 Code is amended to read:



1 7646. The board shall require the applicant to pass an
2 examination, known as the National Board, administered
3 by the Conference of Funeral Service Examining Board.
4 The board may add additional testing requirements
5 regarding state laws, rules, and regulations.

6 SEC. 19. Section 7647 of the Business and Professions
7 Code is repealed.

8 SEC. 20. Section 7647 is added to the Business and
9 Professions Code, to read:

10 7647. The Conference of Funeral Service Examining
11 Board shall administer the National Board examination
12 not less than four times annually at an accredited school
13 of mortuary science in this state.

14 SEC. 21. Section 7649 of the Business and Professions
15 Code is amended to read:

16 7649. Except as provided in Section 10375 of the
17 Health and Safety Code, whenever the name of any
18 licensed embalmer is subscribed to any certificate, the
19 purport of which is that he or she has performed any act
20 mentioned in the certificate, the licensed embalmer shall
21 actually sign his or her name thereto.

22 SEC. 22. Section 7651 is added to the Business and
23 Professions Code, to read:

24 7651. The board shall adopt regulations requiring
25 continuing education of *not more than 12 hours per year*
26 *for* licensed embalmers.

27 SEC. 23. Section 7660 of the Business and Professions
28 Code is amended to read:

29 7660. An apprentice embalmer is a person engaged in
30 the study of embalming under the instruction and
31 supervision of a licensed embalmer who has had at least
32 two years' practical experience as a California licensed
33 embalmer.

34 SEC. 24. Section 7662 of the Business and Professions
35 Code is amended to read:

36 7662. In order to qualify as an apprentice embalmer,
37 an applicant shall comply with all of the following
38 requirements:

39 (a) Be over 18 years of age.



1 (b) Not have committed acts or crimes constituting
2 grounds for denial of licensure under Section 480.

3 (c) Furnish proof showing completion of a high school
4 course or instead he or she may furnish the board with
5 evidence that he or she has been licensed and has
6 practiced as an embalmer for a minimum of three years
7 within the seven years preceding his or her application in
8 any other state or country and that the license has never
9 been suspended or revoked for unethical conduct.

10 SEC. 25. Section 7664 of the Business and Professions
11 Code is amended to read:

12 7664. Certificates of apprenticeship issued pursuant
13 to this article shall expire when the holder has been issued
14 a license as an embalmer, or six years from the date of
15 registration, whichever first occurs. The certificates may
16 not be renewed, but an apprentice embalmer who has not
17 completed his or her term of apprenticeship at the time
18 his or her certificate expires may apply for reregistration
19 upon compliance with Section 7661. The board may,
20 when the circumstances warrant, allow an apprentice
21 credit under a reregistration for the time actually served
22 under a previous registration, but no reregistration shall
23 have the effect of continuing the term of apprenticeship
24 beyond the period specified in Sections 7666 and 7666.5.

25 SEC. 26. Section 7665 of the Business and Professions
26 Code is amended to read:

27 7665. All registered apprentice embalmers shall be
28 under the supervision and control of the board and shall
29 comply with the following requirements during their
30 period of apprenticeship:

- 31 (a) Shall file a report of apprenticeship as follows:
 - 32 (1) On or before January 15 of each year covering the
 - 33 period of apprenticeship ending as of December 31
 - 34 preceding.
 - 35 (2) Upon change of supervising embalmer or
 - 36 employer, or both.
 - 37 (3) Upon completion of apprenticeship.
 - 38 (4) Upon application for leave of absence for a period
 - 39 in excess of 15 days.



1 (5) Upon suspending apprenticeship to attend
2 embalming college.

3 (6) Upon application for reregistration after
4 suspension or revocation of registration where complete
5 report of previous registration has not been filed.

6 (b) The information contained in the report shall
7 consist of a concise summary of the work done by the
8 apprentice during the period covered thereby, shall be
9 verified by the apprentice and certified to as correct by
10 his or her supervising embalmer and employer. Upon
11 request of the board, each funeral director in whose
12 establishment an apprenticeship is being, or has been,
13 served, and each embalmer under whose instruction or
14 supervision an apprenticeship is being, or has been
15 served, shall promptly file with the board a report or such
16 other information as may be requested relating to the
17 apprenticeship. Failure to comply with the request is
18 cause for revocation by the board of the approval granted
19 to the funeral director or embalmer for the training of
20 apprentices and is also a cause for disciplinary action
21 against the funeral director or embalmer.

22 SEC. 27. Section 7666 of the Business and Professions
23 Code is amended to read:

24 7666. (a) The term of apprenticeship shall be two
25 years; provided, however, that if an apprentice after
26 having served his or her apprenticeship fails to pass the
27 examination for an embalmer's license he or she may
28 continue for one additional term of apprenticeship,
29 which shall be the maximum apprenticeship permitted
30 and provided further that an apprentice may, upon filing
31 an application therefor, be permitted to continue the
32 apprenticeship for a period not to exceed six months, if
33 approved, for any of the following reasons:

34 (1) While awaiting the processing of applications
35 submitted to the board.

36 (2) While awaiting notification of grades of
37 embalmers' examinations given by the board.

38 (3) While awaiting the commencement of a class of an
39 embalming school or college when the apprentice
40 intends to enroll in the school or college.



1 Applications filed for an extension of apprenticeship
2 shall be filed by the applicant with the Sacramento office
3 of the board not less than 15 days prior to the date the
4 applicant requests the extension to commence.

5 (b) Terms of apprenticeship may be served before,
6 after, or divided by the embalming college course at the
7 option of the apprentice; provided, however, that the
8 term of apprenticeship must be completed, excluding
9 time spent in active military service, within six years from
10 the date of original registration, or from the date an
11 apprentice successfully passes the examination for
12 embalmer’s license required in Section 7646 of this code,
13 whichever first occurs, and provided further that if the
14 term of apprenticeship is not completed within the
15 six-year period, the board may require that the applicant
16 serve the additional term of apprenticeship, not to exceed
17 two years.

18 (c) A student attending an embalming college may
19 register as an apprentice during his or her college term
20 but shall receive no credit for apprenticeship on the term
21 required by this code unless he or she is also a full-time
22 employee of a funeral director.

23 (d) An apprentice while serving his or her required
24 term of apprenticeship shall be a full-time employee in
25 the funeral establishment in which he or she is employed.

26 SEC. 28. Section 7666.5 of the Business and
27 Professions Code is repealed.

28 SEC. 29. Section 7667 of the Business and Professions
29 Code is amended to read:

30 7667. (a) The board shall have the power to grant
31 leaves of absence and extensions of leaves of absences and
32 approve absences during the term of apprenticeship.

33 (b) A leave of absence, including any extensions, shall
34 not be approved for a longer period than an aggregate of
35 one year.

36 (c) No credit will be given to an apprentice on his or
37 her apprenticeship for the period during which he or she
38 is absent from duty on leave.



1 (d) Application for a leave of absence and for an
2 extension thereof shall be made by the apprentice on a
3 form provided by the board.

4 (e) Upon termination of a leave of absence, the
5 apprentice shall report that fact to the board within 10
6 days of his or her resumption of apprenticeship by
7 returning to the Sacramento office of the board, his or her
8 certificate of registration accompanied by a statement as
9 to the resumption of apprenticeship which statement
10 shall be certified as correct by the funeral director in
11 whose establishment he or she is to resume his or her
12 duties and by the embalmer under whose supervision he
13 or she is to resume his or her apprenticeship.

14 (f) Failure to report within 10 days after the expiration
15 date of any leave of absence shall be cause for cancellation
16 of the registration of an apprentice.

17 SEC. 30. Section 7668 of the Business and Professions
18 Code is amended to read:

19 7668. The board may suspend or revoke a certificate
20 of apprenticeship, after notice and upon complaint and
21 hearing in accordance with the provisions of Article 6, if
22 the apprentice is guilty of any of the following acts or
23 omissions:

24 (a) Failure to devote full-time employment to the
25 duties of his or her apprenticeship.

26 (b) Failure to make any report required by law to the
27 board.

28 (c) Absence from duty except as provided in this code.

29 (d) Being on duty as an apprentice while under the
30 influence of liquor.

31 (e) Disobedience of proper orders or instructions of
32 his or her superior.

33 (f) Violation of any provision of this chapter or any
34 rule or regulation of the board.

35 (g) Soliciting business for a funeral director or for an
36 embalmer in violation of this chapter.

37 (h) Fraud or misrepresentation in obtaining a
38 certificate of registration as an apprentice.

39 (i) Conviction of a crime substantially related to the
40 qualifications, functions and duties of an apprentice, in



1 which case the record of conviction, or a certified copy,
2 shall be conclusive evidence of the conviction.

3 SEC. 31. Section 7669 of the Business and Professions
4 Code is amended to read:

5 7669. An apprentice who has had his or her certificate
6 of apprenticeship suspended or revoked may, within one
7 year after the suspension or revocation apply for
8 reregistration upon compliance with the law in effect at
9 the time he or she so applies and payment the apprentice
10 application fee fixed by this chapter. No reregistration
11 shall have the effect of continuing an apprenticeship
12 beyond the period specified in Section 7666.

13 The board may, when the circumstances warrant, allow
14 an apprentice credit under a reregistration for the time
15 actually served under a previous registration, but if the
16 previous registration has been suspended or revoked for
17 unprofessional conduct, not more than 75 percent of the
18 time previously served shall be credited on the
19 reregistration.

20 SEC. 32. Section 7670 of the Business and Professions
21 Code is amended to read:

22 7670. (a) The apprenticeship required by this article
23 shall be served in a licensed funeral establishment that
24 shall have been previously approved for apprenticeship
25 training by the board. In order to qualify for approval the
26 funeral director shall submit to the board an application,
27 accompanied by the fee fixed by this chapter, showing:

28 (1) That not less than 50 human remains per
29 apprentice employed have been embalmed in the
30 establishment during the 12 months immediately
31 preceding the date of the application.

32 (2) That the applicant has, and will continue to have,
33 in full-time employment, for each two apprentices
34 employed in his or her establishment, a California
35 embalmer who has had not less than two years' practical
36 experience as a California licensed embalmer
37 immediately preceding the date of the application.

38 (3) That the licensed funeral establishment of that
39 applicant meets the requirements of law as to equipment,



1 cleanliness and sanitation as determined by an inspection
2 report filed with the board.

3 (b) Licensed funeral establishments under common
4 ownership within close geographical proximity of each
5 other may request any of the following from the board:

6 (1) To be treated in aggregate for the purpose of
7 meeting the requirements of paragraph (1) of
8 subdivision (a).

9 (2) To designate one additional supervising embalmer
10 per registered apprentice.

11 (3) To allow a registered apprentice to serve in any or
12 all of the licensed funeral establishments requested and
13 approved pursuant to this section.

14 (c) Approval granted under this section shall be
15 renewed annually upon application by the funeral
16 director, showing continued compliance with the
17 foregoing provisions of this section, filed with the board
18 not later than January 15 of each year, which application
19 shall be acted upon by the board at its first meeting
20 thereafter. An application for renewal shall be
21 accompanied by the fee fixed by this chapter.

22 SEC. 33. Section 7671 of the Business and Professions
23 Code is repealed.

24 SEC. 34. Section 7671 is added to the Business and
25 Professions Code, to read:

26 7671. A registered apprentice who has completed the
27 requirements set forth in subdivision (e) of Section 7643
28 prior to July 1, 2000, shall be exempt from the provisions
29 of paragraph (2) of subdivision (c) of Section 7643 if the
30 period of registration has been continuous and
31 uninterrupted, and culminates in licensure.

32 SEC. 35. Section 7729 of the Business and Professions
33 Code is amended to read:

34 7729. The amount of the fees prescribed by this
35 chapter shall be fixed according to the following schedule
36 with the minimum amount specified being the amount
37 fixed on January 1, 1988.

38 (a) The application fee for a funeral director's license
39 shall be not less than one hundred dollars (\$100) and not
40 more than two hundred dollars (\$200).



1 (b) The application fee for change of location of a
2 funeral establishment's license shall be not less than one
3 hundred fifty dollars (\$150) and not more than two
4 hundred fifty dollars (\$250).

5 (c) The application fee for permission to assign a
6 funeral establishment's license shall be not less than two
7 hundred dollars (\$200) and not more than three hundred
8 dollars (\$300).

9 (d) The license renewal fee payable by a licensed
10 funeral director shall be not less than one hundred dollars
11 (\$100) and not more than two hundred dollars (\$200).
12 The fee for a delinquent renewal of a funeral director's
13 license shall be 150 percent of the timely renewal fee.

14 (e) The application fee for an embalmer's license shall
15 be not less than one hundred dollars (\$100) and not more
16 than one hundred fifty dollars (\$150).

17 (f) The renewal fee payable by a licensed embalmer
18 shall be not less than seventy-five dollars (\$75) and not
19 more than one hundred twenty-five dollars (\$125). The
20 fee for a delinquent renewal of an embalmer's license
21 shall be 150 percent of the timely renewal fee.

22 (g) The application fee for a certificate of registration
23 as an apprentice embalmer shall be not less than thirty
24 dollars (\$30) and not more than sixty dollars (\$60).

25 (h) The fee for an application by a funeral
26 establishment for approval to train apprentice
27 embalmers and for renewal of that approval shall be not
28 less than fifty dollars (\$50) and not more than one
29 hundred dollars (\$100).

30 (i) The application fee for a funeral director's
31 examination shall be not less than seventy-five dollars
32 (\$75) and not more than one hundred dollars (\$100).

33 (j) The fee for a timely filing of an individual report or
34 a combined report on preneed trust funds shall be not less
35 than one hundred dollars (\$100) and not more than two
36 hundred dollars (\$200). The fee for a late filing of any
37 report on preneed trust funds shall be 150 percent of the
38 applicable timely fee.

39 (k) The application fee for permission to change the
40 name appearing on a funeral establishment's license shall



1 be not less than one hundred dollars (\$100) and not more
2 than two hundred dollars (\$200), and for permission to
3 change the name on any other license or certificate, not
4 less than twenty dollars (\$20) and not more than forty
5 dollars (\$40).

6 (l) The application fee for a duplicate funeral
7 director's license, a duplicate funeral establishment's
8 license, a duplicate embalmer's license, or a duplicate
9 certificate of registration as an apprentice embalmer,
10 shall be not less than twenty dollars (\$20) and not more
11 than forty dollars (\$40).

12 (m) The fee for filing a report of a change of corporate
13 officers, managers, or preneed trust fund trustees shall be
14 not less than twenty-five dollars (\$25) and not more than
15 fifty dollars (\$50).

16 (n) The application fee for a funeral establishment
17 license shall be not less than three hundred dollars (\$300)
18 and not more than four hundred dollars (\$400).

19 (o) The license renewal fee for a licensed funeral
20 establishment shall be not less than three hundred dollars
21 (\$300) nor more than four hundred dollars (\$400).

22 SEC. 36. This act shall become operative July 1, 1997.

23 SEC. 37. The powers and duties of the Funeral
24 Directors and Embalmers Board, as described in the act
25 enacting this section, shall be subject to Section 102.1 of
26 the Business and Professions Code.

27 SEC. 38. No reimbursement is required by this act
28 pursuant to Section 6 of Article XIII B of the California
29 Constitution because the only costs that may be incurred
30 by a local agency or school district will be incurred
31 because this act creates a new crime or infraction,
32 eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section
34 17556 of the Government Code, or changes the definition
35 of a crime within the meaning of Section 6 of Article
36 XIII B of the California Constitution.

37 Notwithstanding Section 17580 of the Government
38 Code, unless otherwise specified, the provisions of this act



1 shall become operative on the same date that the act
2 takes effect pursuant to the California Constitution.

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