

**ASSEMBLY BILL**

**No. 2627**

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**Introduced by Assembly Member Cox**

February 25, 2000

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An act to amend Section 7649 of the Business and Professions Code, and to amend Sections 102805 and 102875 of the Health and Safety Code, relating to embalmers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2627, as introduced, Cox. Embalmers: cemeteries: funeral.

Existing law requires that a death certificate contain the embalmer's actual signature as evidence that the decedent has been embalmed.

This bill would require a death certificate to contain the embalmer's license number.

Existing law authorizes an embalmer to affix the embalmer's signature to death certificates by a written special power of attorney for a period of up to one year.

This bill would authorize an embalmer to affix the embalmer's license number to death certificates by signing a declaration that states the body has been embalmed. This bill would require the funeral establishment in charge of disposition of the body to retain a copy of the embalmer's declaration for one year.

Existing law specifies the embalming information that is required in a death certificate. Under existing law, the required embalming information is the embalmer's signature

and license number or the name of the embalmer if affixed by an attorney-in-fact.

This bill would provide that the only embalming information required in the death certificate would be the embalmer’s license number.

Existing law authorizes the use of an electronic signature substitute or another indicator of authenticity approved by the State Registrar instead of the embalmer’s actual signature.

This bill would delete this provision.

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 7649 of the Business and  
2 Professions Code is amended to read:

3 ~~7649. Except as provided in Section 10375 of the~~  
4 ~~Health and Safety Code, whenever the name of any~~  
5 ~~licensed embalmer is subscribed to any certificate, the~~  
6 ~~purport of which is that he or she has performed any act~~  
7 ~~mentioned in the certificate, the licensed embalmer shall~~  
8 ~~actually sign his or her name thereto. The death~~  
9 ~~certificate of any decedent embalmed by a licensed~~  
10 ~~embalmer shall bear the embalmer’s license number as~~  
11 ~~provided in Section 102805 of the Health and Safety Code.~~

12 SEC. 2. Section 102805 of the Health and Safety Code  
13 is amended to read:

14 102805. An embalmer may authorize his or her  
15 ~~signature~~ license number to be affixed to the certificate  
16 after he or she has embalmed a body, as required by this  
17 chapter, by a ~~written special power of attorney that~~  
18 *signing a declaration under penalty of perjury that he or*  
19 *she has personally embalmed the body or that the body*  
20 *has been embalmed by the embalmer’s apprentice. A*  
21 *copy of the declaration shall be retained for a period of*  
22 *one year by the funeral establishment in charge of the*  
23 *disposition of the body.*

24 SEC. 3. Section 102875 of the Health and Safety Code  
25 is amended to read:



1 102875. The certificate of death shall be divided into  
2 two sections.

3 (a) The first section shall contain those items  
4 necessary to establish the fact of the death, including all  
5 of the following and those other items as the State  
6 Registrar may designate:

7 (1) Personal data concerning decedent including full  
8 name, sex, color or race, marital status, name of spouse,  
9 date of birth and age at death, birthplace, usual residence,  
10 and occupation and industry or business.

11 (2) Date of death, including month, day, and year.

12 (3) Place of death.

13 (4) Full name of father and birthplace of father, and  
14 full maiden name of mother and birthplace of mother.

15 (5) Informant.

16 (6) Disposition of body information including  
17 ~~signature and the license number of the embalmer if~~  
18 ~~body was embalmed or name of embalmer if affixed by~~  
19 ~~attorney-in-fact; name of funeral director, or person~~  
20 acting as such; and date and place of interment or  
21 removal. ~~Notwithstanding any other provision of law to~~  
22 ~~the contrary, an electronic signature substitute, or some~~  
23 ~~other indicator of authenticity, approved by the State~~  
24 ~~Registrar may be used in lieu of the actual signature of the~~  
25 ~~embalmer.~~

26 (7) Certification and signature of attending physician  
27 and surgeon or certification and signature of coroner  
28 when required to act by law. Notwithstanding any other  
29 provision of law to the contrary, the person completing  
30 the portion of the certificate setting forth the cause of  
31 death may attest to its accuracy by use of an electronic  
32 signature substitute, or some other indicator of  
33 authenticity, approved by the State Registrar in lieu of a  
34 signature.

35 (8) Date accepted for registration and signature of  
36 local registrar. Notwithstanding any other provision of  
37 law to the contrary, the local registrar may elect to use an  
38 electronic signature substitute, or some other indicator of  
39 authenticity, approved by the State Registrar in lieu of a  
40 signature.



1 (b) The second section shall contain those items  
2 relating to medical and health data, including all of the  
3 following and other items as the State Registrar may  
4 designate:

5 (1) Disease or conditions leading directly to death and  
6 antecedent causes.

7 (2) Operations and major findings thereof.

8 (3) Accident and injury information.

