

HOUSE BILL REPORT

SSB 5261

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to deadlines concerning permits, licenses, or endorsements of cemetery authorities.

Brief Description: Concerning cemetery authority permit, license, or endorsement deadlines.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senator Braun).

Brief History:

Committee Activity:

Consumer Protection & Business: 3/15/23, 3/22/23 [DP].

Brief Summary of Substitute Bill

- Makes licenses, endorsements, certificates, and permits related to cemeteries, prearrangement certificates, and burial or scattering of human remains expire on March 31 of each year, rather than January 31.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: Do pass. Signed by 13 members: Representatives Walen, Chair; Reeves, Vice Chair; Corry, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman, Cheney, Connors, Donaghy, Hackney, Ryu, Sandlin, Santos and Volz.

Staff: Megan Mulvihill (786-7304).

Background:

The Funeral and Cemetery Board (Board) enforces and administers the laws generally related to cemeteries, morgues, and human remains. The Director of the Department of

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Licensing (DOL), in consultation with the Board, administers the laws. Facilities that perform services related to the final disposition of human remains are licensed, by a permit or endorsement, by the DOL and may be inspected. Certain people are designated by statute to direct the type, place, and method of disposition of human remains. Any person not designated who wishes to bury or scatter human remains by land, air, or sea, or performs any other disposition of human remains outside of a cemetery, must obtain a permit.

A cemetery authority is an entity that has obtained a certificate to operate a cemetery from the Board, or any other entity that operates a cemetery that is not under the jurisdiction of the Board. A cemetery authority that wishes to enter into prearrangement contracts must have a valid prearrangement sales license. Prearrangement contracts allow a person to purchase, in advance, cemetery merchandise or services, unconstructed crypts or niches, or undeveloped graves to be furnished at a future date for a specific consideration.

These licenses, endorsements, certificates, and permits expire on January 31 of each year.

Summary of Bill:

The licenses, endorsements, certificates, and permits related to cemeteries, prearrangement certificates, and burial or scattering of human remains expire on March 31 of each year.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on October 31, 2023.

Staff Summary of Public Testimony:

(In support) A cemetery authority has four main things that they need to do for licensing. Two are federal and have deadlines in March. Two are for the state and renewals happen in January. This is a simple concept to move the deadline from January to March so it aligns with federal requirements, makes the licensing process more effective, and helps reduce costs.

(Opposed) None.

Persons Testifying: Senator John Braun, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.