

SESSION OF 2010

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR SENATE BILL NO. 475**

As Amended by House Committee on
Health and Human Services

Brief*

Sub. for SB 475 would add to the current definition of “funeral director” that in addition to directing or supervising the disposition of dead human bodies, the funeral director would also arrange for the disposition of dead human bodies. Further, all of these activities would apply to burial or cremation. The bill also would exempt persons engaged in the business of providing cremation services, for five consecutive years prior to this act from the apprenticeship requirements for licensure as a funeral director, provided application for such licensure is made within six months of the effective date of this act. Any person who is exempt from the apprenticeship requirements would have a grace period of 120 days to comply with the requirements for licensure as a funeral director.

Background

The original bill was introduced by the Senate Ways and Means Committee and referred to the Senate Public Health and Welfare Committee. The proponents of the bill included representatives of the Kansas Funeral Directors Association and Broadway Mortuary. Proponents testified the bill would assure that all persons offering cremation services to the public are accountable to a regulatory agency and required to be knowledgeable of the laws relating to funeral services and cremations.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Opponents of the bill at the Committee hearing included representatives of the Midwest Cremation Society, Inc. and private citizens.

The Senate Committee on Public Health and Welfare adopted amendments to the bill. The Committee removed the definition of "funeral services" and any references to the term from the original bill. A component of the definition of "funeral director" was changed from current law by inserting the words "arranging for," removing the word "conducting," and adding new language "whether by burial or cremation." The Committee also added new language which would exempt persons engaged in providing cremation services for five consecutive years prior to the effective date of this act from the apprenticeship requirements which are a prerequisite for licensure as a funeral director. The exemption only would apply if the individual applies for funeral director licensure within six months of the effective date of this act. The Kansas Funeral Directors Association requested the adoption of the substitute bill.

The Senate Committee on Public Health and Welfare recommended adoption of the substitute bill.

The House Committee amended the bill to permit any person who is exempt from the apprenticeship requirements to have a grace period of 120 days to comply with the requirements for licensure as a funeral director.

The fiscal note prepared by the Division of the Budget on the bill, as introduced, states the State Board of Mortuary Arts has indicated that the bill would have no fiscal effect.