

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Federal and State Affairs** recommends **HB 2331** be amended on page 1, in line 27, after "unless" by inserting: ":

(1)";

Also on page 1, in line 30, after "corrections" by inserting "; or

(2) the deceased was a veteran. Expenses of final disposition of such unclaimed body shall be paid pursuant to K.S.A. 73-304, and amendments thereto, to the extent applicable";

On page 2, in line 2, after "(2)" by inserting "after the time period prescribed in paragraph (1) has lapsed,"; in line 11, by striking "coroner" and inserting "coroner"; in line 13, by striking "(b)" and inserting "(c)"; in line 18, by striking "commission of veteran's affairs"; also in line 18, after "office" by inserting "of veterans services"; in line 19, after the period by inserting "No person or organization that takes custody of cremated remains pursuant to this paragraph shall be liable for the costs of the cremation of the decedent or any other applicable fees."; following line 40, by inserting:

"Sec. 2. K.S.A. 65-1702 is hereby amended to read as follows: 65-1702. (a) Every licensed embalmer who desires to continue the practice of embalming shall pay to the secretary of the state board of mortuary arts a renewal fee in the amount fixed by the board in accordance with the provisions of K.S.A. 65-1727, and amendments thereto. The secretary shall mail a notice of the due date for payment of the renewal fee at least 30 days prior to such date to the last known address of each licensee.

(b) If such licensee shall fail to pay the renewal fee prior to the expiration date, the

licensee shall be automatically suspended and denied the right to practice embalming in this state during such suspension. The board may reinstate such lapsed licenses upon payment of the fee in arrears and a reinstatement fee in the amount equal to the renewal fee, except such lapse shall not be over six months in duration.

(c) Any person who fails to reinstate a lapsed license within six months after the lapse of such license may apply for re licensure by making application on a form provided by the board. Relicensure shall be granted upon receipt of proof that the applicant is competent to act as a licensed embalmer, meets current qualifications to act as a licensed embalmer, has satisfied all of the requirements for renewal established by law and has paid the board all back renewal fees as established by the board by rules and regulations.

(d) The expiration date of each license issued or renewed shall be established by rules and regulations of the board. Subject to the provisions of this subsection, each license shall be renewable on a biennial basis upon the filing of a renewal application prior to the expiration date of the license and upon payment of the renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. To provide for a system of biennial renewal of licenses, the state board of mortuary arts may provide by rules and regulations that licenses issued or renewed for the first time after the effective date of this act may expire less than two years from the date of issuance or renewal. In each case in which a license is issued or renewed for a period of time less than two years, the board shall prorate to the nearest whole month the license or renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. The provisions of this subsection-(d) shall not apply to apprentice licenses or periods of apprenticeship under K.S.A. 65-1701a, and amendments thereto.

(e) Every licensed embalmer who desires to be actively engaged in the practice of embalming in Kansas shall submit with the renewal application evidence of satisfactory completion of a program of continuing education required by the board. The board by duly

adopted rules and regulations shall establish the requirements for such program of continuing education as soon as possible after ~~the effective date of this act~~ July 1, 2026. The program of continuing education approved by the board shall, at a minimum, require six hours of continuing education annually, three of which shall be in person or live online where the presenter shall be able to verify attendance and provide the licensee with the opportunity to ask the presenter questions concerning the content of the program.

(f) Every licensed embalmer who is not actively engaged in the practice of embalming in the state shall be exempt from the continuing education requirements set forth in subsection (e) ~~of this section~~. If the person becomes engaged in the active practice of embalming, such person shall within the first full year after becoming engaged in active practice meet the continuing education requirements specified by the board.

Sec. 3. K.S.A. 65-1716 is hereby amended to read as follows: 65-1716. (a) The renewal fee for a funeral director's license shall be in the amount fixed by the state board of mortuary arts in accordance with the provisions of K.S.A. 65-1727, and amendments thereto. The fee shall be due and payable to the secretary of the board prior to the expiration date of the license. The secretary of the board shall mail a notice of the expiration date of each license and of the renewal fee at least 30 days prior to the date of expiration to the last known address of each licensee. If the licensee fails to pay such renewal fee within the time specified, the licensee shall be automatically suspended and denied the right to practice funeral directing in this state during such suspension.

(b) The board may reinstate such lapsed license upon the payment of the fee in arrears, plus the additional reinstatement fee in the amount equal to the renewal fee, if such lapse is not over six months in duration.

(c) Any person who fails to reinstate a lapsed license within six months after the lapse of such license may apply for re licensure by making application on a form provided by the

board. Relicensure shall be granted upon receipt of proof that the applicant is competent to act as a licensed funeral director, meets qualifications to act as a licensed funeral director, has satisfied all of the requirements for renewal established by law and has paid the board all back renewal fees as established by the board by rules and regulations.

(d) The expiration date of each license shall be established by rules and regulations of the board. Subject to the provisions of this subsection, each license shall be renewed on a biennial basis upon the filing of a renewal application prior to the expiration date of the license and upon payment of the renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. To provide for a system of biennial renewal of licenses, the board may provide by rules and regulations that licenses issued or renewed for the first time after the effective date of this act may expire less than two years from the date of issuance or renewal. In each case in which a license is issued or renewed for a period of time of less than two years, the board shall prorate to the nearest whole month the license or renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto.

(e) Every licensed funeral director who desires to be actively engaged in the practice of funeral directing in Kansas shall submit with the renewal application and renewal fee evidence of satisfactory completion of a program of continuing education required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing education as soon as possible after ~~the effective date of this act~~ July 1, 2026. The program of continuing education approved by the board shall, at a minimum, require six hours of continuing education annually, three of which shall be in person or live online where the presenter shall be able to verify attendance and provide the licensee with the opportunity to ask the presenter questions concerning the content of the program.

(f) Every licensed funeral director who is not actively engaged in the practice of funeral directing in the state shall be exempt from the continuing education requirements set forth in this

section. If the person becomes engaged in the active practice of funeral directing, such person shall within the first full year after becoming engaged in active practice meet the continuing education requirements specified by the board.

Sec. 4. K.S.A. 65-1769 is hereby amended to read as follows: 65-1769. ~~On and after July 1, 2011,~~ (a) A crematory operator shall, in connection with such person's licensed crematory, use the words "crematory operator" or any other title implying that such person is engaged in the business of cremation.

(b) Nothing in K.S.A. 65-1760 et seq., and amendments thereto, shall be construed to prohibit a person who holds a crematory license from using the word "crematory" in the name or title of any other business or operation owned by such person if such business or operation is licensed under article 17 of chapter 65 of Kansas Statutes Annotated, and amendments thereto.";

Also on page 2, in line 41, by striking "is" and inserting ", 65-1702, 65-1716 and 65-1769 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "coroners" and inserting "the disposition of human remains"; in line 3, after the semicolon by inserting "establishing requirements for programs of continuing education for licensed embalmers and funeral directors; authorizing use of the word "crematory" as part of the business name for businesses owned by the same person who owns a licensed crematory;"; in line 4, after "22a-215" by inserting ", 65-1702, 65-1716 and 65-1769"; also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.