

PUBLIC CHAPTER NO. 297

SENATE BILL NO. 2204

By Kyle, Marrero

Substituted for: House Bill No. 2259

By Odom

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 5, Part 3, relative to Licensing funeral directors and embalmers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-5-304, is amended by deleting the existing language in its entirety and substituting instead the following language:

(a) Every person, partnership, firm, association or corporation desiring to commence the operation of a funeral establishment after January 1, 2008, shall make application to the board accompanying same with payment of a nonrefundable fee as set by the board.

(b) All applications shall show the:

(1) Name of establishment;

(2) Address of establishment;

(3) Owner(s) of establishment;

(4) Name and address of the licensed funeral director who will act as manager of the funeral establishment;

(5) Names and addresses of all licensed funeral directors and embalmers with designation as to whether they are part-time or full-time employees; and

(6) Names of all unlicensed assistants.

(c) Each establishment location shall be licensed separately from any other funeral establishment.

SECTION 2. Tennessee Code Annotated, Section 62-5-305, is amended by deleting the existing language in its entirety and substituting instead the following language:

(a) Every person, not heretofore licensed in this state as a funeral director, desiring to engage in the practice or business of funeral directing, shall make application to the board, accompanying the same with a nonrefundable fee as set by the board.

(b) The application shall contain the name of the applicant, showing that the applicant:

(1) Has attained the age of eighteen (18) years;

(2) Is a citizen of the United States;

(3) Is of good moral character;

(4) Is properly protected against communicable diseases either through immunization or education;

(5) Has graduated from a high school or has earned a GED recognized by a state education department;

(6) Has successfully completed a program of study in Funeral Service Education consisting of not less than thirty (30) semester hours (45 quarter hours or the equivalent) from a school accredited by the American Board of Funeral Service Education and evidenced by an official transcript; and

(7) Has completed two (2) years of apprenticeship in the presence of and under the direction and supervision of a licensed funeral director.

SECTION 3. Tennessee Code Annotated, Section 62-5-307, is amended by deleting the existing language in its entirety and substituting instead the following language:

(a) No person shall be granted a license to engage in the practice of embalming dead human bodies within this state unless the person makes application to the board for such license, accompanying the same with a nonrefundable fee as set by the board.

(b) The application shall contain the name of the applicant, showing that the applicant:

(1) Has attained the age of eighteen (18) years;

(2) Is a citizen of the United States;

(3) Is of good moral character;

(4) Is properly protected against communicable disease either through immunization or education;

(5) Has graduated from a high school or has earned a GED recognized by a state education department;

(6) Has obtained an Associate of Arts Degree by successfully completing a mortuary science program consisting of not less than sixty (60) semester hours (90 quarter hours or the equivalent) with a program accredited by the American Board of Funeral Service Education and evidenced by an official transcript; and

(7) Has completed one (1) year of apprenticeship in the presence of and under the direction and supervision of a licensed embalmer.

SECTION 4. Tennessee Code Annotated, Title 62, Chapter 5, Part 3, is amended by adding the following language as a new, appropriately designated section:

Section _____.

(a) When beginning the required apprenticeship the person shall file an apprentice registration form with the board and shall pay a fee in the amount to be established by the board. Such registration shall be valid for a period of two (2) years from the date of registration.

(b) The apprentice registration form shall contain the name of the registrant, showing that the registrant:

(1) Has attained the age of eighteen (18) years;

(2) Is a citizen of the United States;

(3) Is of good moral character;

(4) Has graduated from a high school or has earned a GED recognized by a state education department; and

(5) Is a bona fide paid employee of an establishment working not less than forty (40) hours per week in the presence of and under the direction and supervision of a licensed funeral director or embalmer.

(c) All persons who are apprentice funeral directors, apprentice embalmers, and mortuary school students registered by the board and who are in the process of fulfilling their apprenticeship and educational requirements on or before December 31, 2007, shall not be required to complete the apprenticeship requirements that become effective on January 1, 2008. The apprentices and mortuary school students shall complete all requirements to become licensed by the board as a funeral director or embalmer on or before December 31, 2010.

(d) When beginning the required course of study the person shall file a student registration form with the board and shall pay a fee in the amount to be established by the board. Such registration shall be valid for a period of two (2) years from the date of registration.

SECTION 5. This act shall take effect on January 1, 2008, the public welfare requiring it.

PASSED: May 14, 2007



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 30th day of May 2007



PHIL BREDEESEN, GOVERNOR