

## Session 120 - (2013-2014)

### H 3139 General Bill, By King

**Summary:** Funeral directors and embalmers to have criminal background check for licensure

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-19-220 SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FOR LICENSURE TO PRACTICE FUNERAL SERVICES, AND TO MAKE A CRIMINAL BACKGROUND CHECK OPTIONAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION WHEN CONDUCTING AN INVESTIGATION IN CONNECTION WITH A DISCIPLINARY PROCEEDING AGAINST A PERSON LICENSED TO CONDUCT FUNERAL SERVICES; BY ADDING SECTION 40-19-267 SO AS TO REQUIRE A POSITIVE IDENTIFICATION OF A BODY BEFORE THE BODY MAY BE CREMATED, AND TO SPECIFY BY WHAT MEANS THIS POSITIVE IDENTIFICATION MAY BE MADE; TO AMEND SECTION 40-19-20, RELATING TO DEFINITIONS RELEVANT TO THE LICENSURE OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-19-200, RELATING TO PENALTIES FOR A VIOLATION, SO AS TO ELIMINATE A CRIMINAL PENALTY AND INCREASE THE MAXIMUM FINE; TO AMEND SECTION 40-19-235, RELATING TO LICENSURE REQUIREMENTS OF AN APPLICANT FOR LICENSURE AS AN EMBALMER OR FUNERAL DIRECTOR WHO HOLDS A VALID LICENSE FROM ANOTHER STATE, SO AS TO ALTER THE EXAMINATION REQUIREMENTS; TO AMEND SECTION 40-19-240, RELATING TO THE CERTIFICATION OF AN APPRENTICE AS AN EMBALMER OR FUNERAL DIRECTOR, SO AS TO ALTER THE REQUIREMENTS FOR EMPLOYMENT STATUS AND WORK REPORTING REQUIREMENTS, TO REQUIRE SPECIFIC TASKS TO MEET THE MANDATORY CASE WORK REQUIREMENTS, AND TO REQUIRE THE PRESENCE OF AN APPRENTICE BY A PRECEPTOR ON THE PREMISES WHERE AN APPRENTICE IS CONDUCTING AN EMBALMING OR FUNERAL SERVICE WHEN HE PERFORMS THOSE SERVICES; TO AMEND SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO INCREASE THE ANNUAL REQUIREMENT OF CONTINUING EDUCATION HOURS, TO IMPOSE A MAINTENANCE OF RECORDS OF HOURS COMPLETED, AND TO PROVIDE THAT THE STATE BOARD OF FUNERAL SERVICE MAY RANDOMLY AUDIT THESE RECORDS; AND TO AMEND SECTION 40-19-265, RELATING TO PERMIT REQUIREMENTS FOR FUNERAL HOMES, SO AS TO PROVIDE A CREMATORY MUST MAINTAIN ADEQUATE REFRIGERATION FOR THE RETENTION OF BODIES.

**12/11/12 House Prefiled**

**12/11/12 House Referred to Committee on Labor, Commerce and Industry**

**01/08/13 House Introduced and read first time (House Journal-page 101)**

**01/08/13 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 101)**