

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 957

By Senator(s) Committee

1 **AMEND** by inserting the following language between lines 820
2 and 821 and renumbering the succeeding section:

3 **SECTION 17.** The following shall be codified as Section
4 73-11-69, Mississippi Code of 1972:

5 73-11-69. (1) No person shall operate a crematory facility
6 in this state unless the person is licensed by the State Board of
7 Funeral Service. An application for a crematory facility license
8 shall be accompanied by a fee in an amount not to exceed the fee
9 fixed by the board for a funeral establishment license.

10 (2) The operator of a crematory facility shall issue a
11 certificate of cremation to the family of each person cremated in
12 the facility. In addition, the operator of the crematory facility
13 shall maintain a log of all cremations performed in the facility,
14 and this log shall match the certificates of cremation that have
15 been issued by the facility.

16 (3) No operator of a crematory facility shall knowingly
17 represent that an urn or temporary container contains the
18 recovered cremated remains of specific decedent or of body parts
19 removed from a specific decedent when it does not. This
20 subsection does not prohibit the making of such a representation
21 because of the presence in the recovered cremated remains of de
22 minimis amounts of the cremated remains of another decedent or of
23 body parts.

24 (4) The board shall inspect each licensed crematory facility
25 on an annual basis, and at such other times as necessary, to
26 verify that the crematory facility is in compliance with the
27 requirements of this section. Any person who operates a crematory
28 facility in this state without a license, or any person who
29 otherwise violates any provision of this section, is guilty of a
30 felony. Upon conviction for a violation of this section, in
31 addition to any penalty that may be imposed by the court, the
32 board may revoke the person's crematory facility license.

33 (5) The board may promulgate such rules and regulations as
34 deemed necessary for the proper licensure and regulation of
35 crematory facilities in this state.

36 (6) Any crematory may dispose of any remains unclaimed by
37 the family after six (6) months after cremation by scattering or
38 burial upon a final notification to the next of kin by certified
39 mail.

40 **FURTHER, amend on line 58 by deleting "73-11-67" and**
41 **inserting "73-11-69"**

42 **FURTHER, amend the title on line 54 by inserting the**
43 **following after the semicolon:**

44 TO CODIFY NEW SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO
45 PROVIDE FOR THE LICENSURE AND REGULATION OF CREMATORY FACILITIES
46 IN THIS STATE BY THE BOARD;