

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1198**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

73           **SECTION 1.** Section 73-11-33, Mississippi Code of 1972, is  
74 amended as follows:

75           73-11-33. Sections 73-11-41 through 73-11-69, which create  
76 the State Board of Funeral Service and prescribe its duties and  
77 powers, shall stand repealed as of July 1, 2010.

78           **SECTION 2.** Section 73-11-41, Mississippi Code of 1972, is  
79 reenacted and amended as follows:

80           73-11-41. The following terms shall have the meanings  
81 ascribed herein unless the context shall otherwise require:

82                   (a) "Board" means the State Board of Funeral Service of  
83 the State of Mississippi as created by Section 73-11-43, or any  
84 successor thereof.

85                   (b) "Branch establishment" means an auxiliary facility  
86 or division of a main funeral establishment licensed under this  
87 chapter that is within seventy-five (75) miles of the main  
88 facility.

89                   (c) "Embalming" means the disinfection of the dead  
90 human body by replacing certain body fluids with preserving and  
91 disinfecting chemicals.

92           (d) "Funeral establishment" means a fixed place or  
93 premise duly licensed by the board that is devoted to or used in  
94 the immediate post death activities of custody, shelter, care,  
95 preparation and/or embalming for final disposition of the body; or  
96 used for religious services or other rites or ceremonies  
97 associated with the final disposition of human dead; or maintained  
98 or held out to the public by advertising or otherwise as such, for  
99 the convenience and comfort of the bereaved and the community for  
100 viewing or other services in connection with the human dead, and  
101 as the office or place for carrying on the profession of funeral  
102 service and/or funeral directing.

103           (e) "License for funeral establishment" means a license  
104 issued to a place or premise devoted to or used in the immediate  
105 post-death activities of custody, shelter, care, preparation  
106 and/or embalming for final disposition of the body; or used for  
107 religious services or other rites or ceremonies associated with  
108 the final disposition of human dead; or maintained for the  
109 convenience and comfort of the bereaved and the community for  
110 viewing or other services in connection with the human dead, and  
111 as the office or place for carrying on the profession of funeral  
112 service and/or funeral directing.

113           (f) "License for the practice of funeral directing"  
114 means the license given to a person engaging in the "practice of  
115 funeral service" who is not engaged in the practice of embalming.

116           (g) "License for the practice of funeral service" means  
117 the license given to a person engaging in the "practice of funeral  
118 service," including the practice of embalming.

119           (h) "Practice of funeral service" means:

120                   (i) Providing shelter, care and custody of the  
121 human dead;

122                   (ii) Conducting immediate post-death activities;

123 (iii) Preparing of the human dead by embalming or  
124 other methods for burial or other disposition;

125 (iv) Being responsible for the transportation of  
126 the human dead, bereaved relatives and friends;

127 (v) Making arrangements, financial or otherwise,  
128 for the providing of such services;

129 (vi) The sale of funeral merchandise; or

130 (vii) The practice or performance of any function  
131 of funeral directing and/or embalming as presently known,  
132 including those stipulated herein.

133 This definition shall not include persons or corporations  
134 engaging only in the preneed sale of funeral merchandise or  
135 service.

136 (i) "Resident trainee" means a person who is preparing  
137 to become licensed for the practice of funeral service or funeral  
138 directing and who is serving under the supervision and instruction  
139 of a person duly licensed for the practice of funeral service or  
140 funeral directing in this state.

141 (j) "Solicitation" means the act or practice of  
142 approaching someone with a request or plea, or urging someone  
143 toward a particular cause, as it may pertain to the care, custody  
144 or disposition of a dead human body.

145 (k) "Casket" is defined as a rigid container that is  
146 designed for the encasement of human remains and that is usually  
147 constructed of wood, metal, fiberglass, plastic or like material  
148 and ornamented and lined with fabric.

149 (l) "Cremation" is the technical process, using heat,  
150 that reduces human remains to bone fragments.

151 (m) "Crematory" is defined as any person, partnership  
152 or corporation that performs cremation. A crematory must comply  
153 with any applicable public health laws and rules and must contain

154 the equipment and meet all of the standards established by the  
155 rules and regulations adopted by the Board.

156 (n) "Direct cremation" means a disposition of human  
157 remains by cremation without formal viewing, visitation or  
158 ceremony with the body present.

159 (o) "Crematory operator" means the legal entity that  
160 operates a crematory and performs cremations.

161 **SECTION 3.** Section 73-11-43, Mississippi Code of 1972, is  
162 reenacted as follows:

163 73-11-43. There is hereby created the State Board of Funeral  
164 Service which shall consist of seven (7) members, one (1) funeral  
165 service licensee and one (1) funeral director licensee to be  
166 appointed from each Mississippi Supreme Court district. Three (3)  
167 members shall have been licensed for the practice of funeral  
168 service under this chapter for five (5) consecutive years and/or  
169 have had at least five (5) consecutive years' experience as a  
170 funeral director and embalmer in this state immediately preceding  
171 his appointment. Three (3) members shall have been licensed for  
172 the practice of funeral directing under this chapter for five (5)  
173 consecutive years and/or have had at least five (5) consecutive  
174 years' experience as a funeral director immediately preceding his  
175 appointment. One (1) member shall be a public member and be  
176 appointed from the public at large. The members of the board  
177 shall be appointed by the Governor with the advice and consent of  
178 the Senate. All appointments shall be for terms of four (4) years  
179 from the expiration date of the previous term. No board member  
180 shall serve more than two (2) consecutive full terms. Vacancies  
181 in office shall be filled by appointment by the Governor in the  
182 same manner as the appointment to the position which becomes  
183 vacant, subject to the advice and consent of the Senate at the  
184 next regular session of the Legislature. Appointments for  
185 vacancies in office, except those from the public at large, may be

186 made from a joint list of four (4) qualified persons, two (2) each  
187 submitted by the Mississippi Funeral Directors Association and the  
188 Mississippi Funeral Directors and Morticians Association. Nothing  
189 in this chapter or any other statute shall preclude the members of  
190 the State Embalming Board from serving as members of the State  
191 Board of Funeral Service.

192 **SECTION 4.** Section 73-11-45, Mississippi Code of 1972, is  
193 reenacted as follows:

194 73-11-45. The members of the board, before entering upon  
195 their duties, shall take and subscribe to the oath of office  
196 prescribed for other state officers, which oath shall be  
197 administered by properly qualified authority and shall be filed in  
198 the Office of the Secretary of State.

199 **SECTION 5.** Section 73-11-47, Mississippi Code of 1972, is  
200 reenacted as follows:

201 73-11-47. The board shall hold not less than two (2)  
202 meetings annually for the purpose of conducting the business of  
203 the board and for examining applications for licenses. Four (4)  
204 or more members shall comprise a quorum. Any member who shall not  
205 attend two (2) consecutive meetings of the board shall be subject  
206 to removal by the Governor. The chairman of the board shall  
207 notify the Governor in writing when any such member has failed to  
208 attend two (2) consecutive regular meetings.

209 **SECTION 6.** Section 73-11-49, Mississippi Code of 1972, is  
210 reenacted and amended as follows:

211 73-11-49. (1) The board is authorized to select from its  
212 own membership a chairman, vice chairman and secretary-treasurer.  
213 Election of officers shall be held at the first regularly  
214 scheduled meeting of the fiscal year.

215 (2) All members of the board shall be reimbursed for their  
216 necessary traveling expenses and mileage incident to their  
217 attendance upon the business of the board, as provided in Section

218 25-3-41, and shall receive a per diem as provided in Section  
219 25-3-69 for every day actually spent upon the business of the  
220 board, not to exceed twenty (20) days per year unless authorized  
221 by a majority vote of the board.

222 (3) All monies received by the board shall be paid into a  
223 special fund in the State Treasury to the credit of the board and  
224 shall be used by the board for paying the traveling and necessary  
225 expenses and per diem of the members of the board while on board  
226 business, and for paying other expenses necessary for the  
227 operation of the board in carrying out and involving the  
228 provisions of this chapter.

229 (4) The board shall employ an administrator of the board,  
230 who shall have complete supervision and be held responsible for  
231 the direction of the office of the board, shall have supervision  
232 over field inspections and enforcement of the provisions of this  
233 chapter, shall have such other duties as may be assigned by the  
234 board, shall be responsible and answerable to the board. The  
235 board may employ such other clerical assistants and employees as  
236 may be necessary to carry out the provisions of this chapter, and  
237 the terms and conditions of such employment shall be determined by  
238 the board in accordance with applicable state law and rules and  
239 regulations of the State Personnel Board.

240 (5) The board, when it shall deem necessary, shall be  
241 represented by an assistant Attorney General duly appointed by the  
242 Attorney General of this state, and may also request and receive  
243 the assistance of other state agencies and county and district  
244 attorneys, all of whom are authorized to provide the assistance  
245 requested.

246 (6) The board shall have subpoena power in enforcing the  
247 provisions of this chapter.

248 (7) The board shall adopt and promulgate rules and  
249 regulations for the transaction of its business in accordance with

250 the provisions of the Mississippi Administrative Procedures Law  
251 (Section 25-43-1 et seq.). No rule or regulation promulgated by  
252 the board affecting any person or agency outside the board shall  
253 be adopted, amended or repealed without a public hearing on the  
254 proposed action. The board shall give written notice at least  
255 thirty (30) days in advance of any meeting with respect to any  
256 proposed adoption, amendment or repeal of a rule or regulation of  
257 the board, in accordance with the Administrative Procedures Act,  
258 as well as notifying the duly elected presidents and secretaries  
259 of the Mississippi Funeral Directors Association and the  
260 Mississippi Funeral Directors and Morticians Association, or their  
261 successors.

262 (8) The board may designate the administrator to perform  
263 inspections under this chapter, may employ an individual to  
264 perform such inspections or may contract with any other individual  
265 or entity to perform such inspections. Any individual or entity  
266 that performs such inspections shall have the right of entry into  
267 any place in which the business or practice of funeral service  
268 and/or funeral directing is carried on or advertised as being  
269 carried on, for the purpose of inspection, for the investigation  
270 of complaints coming before the board and for such other matters  
271 as the board may direct.

272 (9) The board shall not adopt any rule or regulation  
273 pertaining to the transportation of dead bodies, and shall not  
274 adopt any rule or regulation requiring dead bodies to be embalmed  
275 except as required by the State Department of Health's Rule 43 or  
276 any subsequent rule adopted by the department.

277 (10) On or before January 1, 2006, the board shall adopt  
278 rules and regulations, with the approval of the State Board of  
279 Health, pertaining to the requirements for the use of vaults and  
280 caskets for the burial of a dead body or fetus in the State of  
281 Mississippi.

282           **SECTION 7.** Section 73-11-51, Mississippi Code of 1972, is  
283 reenacted and amended as follows:

284           73-11-51. (1) No person shall engage in the business or  
285 practice of funeral service, including embalming, and/or funeral  
286 directing or hold himself out as transacting or practicing or  
287 being entitled to transact or practice funeral service, including  
288 embalming, and/or funeral directing in this state unless duly  
289 licensed under the provisions of this chapter.

290           (2) The board is authorized and empowered to examine  
291 applicants for licenses for the practice of funeral service and  
292 funeral directing and shall issue the proper license to those  
293 persons who successfully pass the applicable examination and  
294 otherwise comply with the provisions of this chapter.

295           (3) To be licensed for the practice of funeral directing  
296 under this chapter, a person must:

297                   (a) Be at least eighteen (18) years of age;

298                   (b) Have a high school diploma or the equivalent  
299 thereof;

300                   (c) Have served as a resident trainee for not less than  
301 twenty-four (24) months under the supervision of a person licensed  
302 for the practice of funeral service or funeral directing in this  
303 state;

304                   (d) Have successfully passed a written and/or oral  
305 examination as prepared or approved by the board; and

306                   (e) Be of good moral character.

307           (4) To be licensed for the practice of funeral service under  
308 this chapter, a person must:

309                   (a) Be at least eighteen (18) years of age;

310                   (b) Have a high school diploma or the equivalent  
311 thereof;

312                   (c) Have successfully completed twelve (12) months or  
313 more of academic and professional instruction from an institution



314 accredited by the United States Department of Education for  
315 funeral service education and have a certificate of completion  
316 from an institution accredited by the American Board of Funeral  
317 Service Education or any other successor recognized by the United  
318 States Department of Education for funeral service education;

319 (d) Have served as a resident trainee for not less than  
320 twelve (12) months, either before or after graduation from an  
321 accredited institution mentioned above, under the supervision of a  
322 person licensed for the practice of funeral service in this state  
323 and in an establishment licensed in this state;

324 (e) Have successfully passed the National Conference of  
325 Funeral Examiners examination as approved by the board; and

326 (f) Be of good moral character.

327 (5) All applications for examination and license for the  
328 practice of funeral service or funeral directing shall be upon  
329 forms furnished by the board and shall be accompanied by an  
330 examination fee, a licensing fee and a nonrefundable application  
331 fee in amounts fixed by the board in accordance with Section  
332 73-11-56. The fee for an initial license, however, may be  
333 prorated in proportion to the period of time from the date of  
334 issuance to the date of biennial license renewal prescribed in  
335 subsection (8) of this section. All applications for examination  
336 shall be filed with the board office at least sixty (60) days  
337 before the date of examination. A candidate shall be deemed to  
338 have abandoned the application for examination if he does not  
339 appear on the scheduled date of examination unless such failure to  
340 appear has been approved by the board.

341 (6) The practice of funeral service or funeral directing  
342 must be engaged in at a licensed funeral establishment, at least  
343 one (1) of which is listed as the licensee's place of business;  
344 and no person, partnership, corporation, association or other  
345 organization shall open or maintain a funeral establishment at

346 which to engage in or conduct or hold himself or itself out as  
347 engaging in the practice of funeral service or funeral directing  
348 until such establishment has complied with the licensing  
349 requirements of this chapter. A license for the practice of  
350 funeral service or funeral directing shall be used only at  
351 licensed funeral establishments; however, this provision shall not  
352 prevent a person licensed for the practice of funeral service or  
353 funeral directing from conducting a funeral service at a church, a  
354 residence, public hall, lodge room or cemetery chapel, if such  
355 person maintains a fixed licensed funeral establishment of his own  
356 or is in the employ of or an agent of a licensed funeral  
357 establishment.

358 (7) Any person holding a valid, unrevoked and unexpired  
359 nonreciprocal license in another state or territory having  
360 requirements greater than or equal to those of this state as  
361 determined by the board may apply for a license to practice in  
362 this state by filing with the board a certified statement from the  
363 secretary of the licensing board of the state or territory in  
364 which the applicant holds his license certifying to his  
365 qualifications and good standing with that board by having  
366 successfully passed a written and/or oral examination on the  
367 Mississippi Funeral Service licensing law and rules and  
368 regulations as prepared or approved by the board, and by paying a  
369 nonrefundable application fee set by the board under Section  
370 73-11-56. If the board finds that the applicant has fulfilled  
371 substantially similar requirements, the board shall grant such  
372 license upon receipt of a fee in an amount equal to the renewal  
373 fee set by the board for a license for the practice of funeral  
374 service or funeral directing, as the case may be, in this state.  
375 The board may issue a temporary funeral service or funeral  
376 directing work permit before a license is granted, before the next  
377 regular meeting of the board, if the applicant for a reciprocal

378 license has complied with all requirements, rules and regulations  
379 of the board. The temporary permit will expire at the next  
380 regular meeting of the board.

381 (8) (a) Any person holding a license for the practice of  
382 funeral service or funeral directing may have the same renewed for  
383 a period of two (2) years by making and filing with the board an  
384 application on or before the due date. Payment of the renewal fee  
385 shall be in an amount set by the board in accordance with Section  
386 73-11-56. The board shall mail the notice of renewal and the due  
387 date for the payment of the renewal fee to the last known address  
388 of each licensee at least thirty (30) days before that date. It  
389 is the responsibility of the licensee to notify the board in  
390 writing of any change of address. An application will be  
391 considered late if the application and proper fees are not in the  
392 board's office or postmarked by the due date.

393 (b) If the renewal fee is not paid on or postmarked by  
394 the due date, the license of such person shall by operation of law  
395 automatically expire and become void without further action of the  
396 board. The board may reinstate such license if application for  
397 licensure is made within a period of five (5) years, upon payment  
398 of the renewal fee for the current year, all renewal fees in  
399 arrears, and a reinstatement fee. After a period of five (5)  
400 years, the licensee must make application, pay the current renewal  
401 fee, all fees in arrears, and pass a written and/or oral  
402 examination as prepared or approved by the board.

403 (9) No license shall be assignable or valid for any person  
404 other than the original licensee.

405 (10) The board may, in its discretion, if there is a major  
406 disaster or emergency where human death is likely to occur,  
407 temporarily authorize the practice of funeral directing and  
408 funeral service by persons licensed to practice in another state  
409 but not licensed to practice in this state, provided that such

410 services are only rendered by members of disaster mortuary teams  
411 authorized by federal or appropriate local authorities to provide  
412 such services. Only persons licensed in this state, however, may  
413 sign death certificates.

414 (11) \* \* \* A person who is licensed for the practice of  
415 funeral service by another state is authorized to make a removal  
416 of a deceased person, embalm a deceased person or conduct a  
417 funeral or burial service in this state, and a funeral director  
418 who is licensed by another state is authorized to conduct a  
419 funeral or burial service in this state, in the same manner and to  
420 the same extent as provided by the laws of that state to persons  
421 licensed by the State of Mississippi for the practice of funeral  
422 service or for the practice of funeral directing. The board is  
423 authorized to enter into written agreements with those states  
424 detailing the manner and extent to which persons licensed by the  
425 State of Mississippi may practice funeral service or directing in  
426 that state.

427 (12) Any funeral service technology or mortuary science  
428 program accredited by the American Board of Funeral Service  
429 Education in the State of Mississippi, as well as students  
430 enrolled in such a program, shall be exempt from licensing under  
431 this chapter when embalming or otherwise preparing a deceased  
432 human body for disposition as part of a student practicum  
433 experience, when the student is directly supervised by an  
434 instructor or preceptor who holds a current funeral service  
435 license. This exemption shall apply to practicum experiences  
436 performed at an accredited institution of funeral service  
437 technology or mortuary science program or at a duly licensed  
438 funeral establishment or commercial mortuary service. Nothing in  
439 this subsection shall be construed to allow any funeral service  
440 technology or mortuary science program, or those students enrolled

441 in such a program, to engage in practicum experiences for  
442 remuneration.

443 (13) Each application or filing made under this section  
444 shall include the social security number(s) of the applicant in  
445 accordance with Section 93-11-64.

446 \* \* \*

447 **SECTION 8.** Section 73-11-53, Mississippi Code of 1972, is  
448 reenacted and amended as follows:

449 73-11-53. (1) A person desiring to become a resident  
450 trainee for the practice of funeral service or funeral directing  
451 shall make application to the board. Such application shall be  
452 sustained by the licensee under whom the applicant is serving, and  
453 shall be accompanied by a nonrefundable application fee in an  
454 amount set by the board in accordance with Section 73-11-56. When  
455 the board is satisfied as to the qualifications of an applicant,  
456 it shall issue a certificate of resident traineeship. No credit  
457 toward the resident traineeship will be allowed before the receipt  
458 of a properly completed application and applicable fee at the  
459 board office.

460 (2) The board shall have the power to suspend or revoke a  
461 certificate of a resident traineeship for violation of any  
462 provision of this chapter.

463 \* \* \*

464 (3) A resident trainee must serve the apprenticeship in a  
465 funeral establishment that is licensed by the State of Mississippi  
466 and the preceptor must be a Mississippi licensee who is employed  
467 by a Mississippi licensed funeral establishment.

468 (4) A resident traineeship certificate shall be renewable  
469 upon payment of a renewal fee as set by the board. The  
470 certificate will expire on December 31 of each year. The fee and  
471 application will be considered late if the fee and application are  
472 not in the office or show a postmark of December 31. Applications

473 received late may be reinstated by the payment of a renewal fee  
474 and a reinstatement fee.

475 **SECTION 9.** Section 73-11-55, Mississippi Code of 1972, is  
476 reenacted and amended as follows:

477 73-11-55. (1) No person or party shall conduct, maintain,  
478 manage or operate a funeral establishment or branch thereof unless  
479 a license for each such establishment has been issued by the board  
480 and is conspicuously displayed in such funeral establishment. In  
481 case of funeral services held in any private residence, church,  
482 cemetery, cemetery chapel, cemetery facility, or lodge hall, no  
483 license shall be required.

484 (2) To be licensed as a funeral establishment, a place or  
485 premise must be at a fixed and specified address or location and  
486 must be used for immediate post-death activities, whether used for  
487 the custody, shelter, care, preparation and/or embalming of the  
488 human dead. Every funeral establishment shall be under the charge  
489 and personal supervision of a Mississippi funeral director  
490 licensee or a Mississippi funeral service licensee. The licensee  
491 in charge and the licensee with personal supervisory  
492 responsibilities need not be the same licensee. Each licensed  
493 funeral establishment shall be inspected at least once during each  
494 licensing period. Such inspections may be unannounced. After  
495 inspection of a funeral establishment, if the board cites the  
496 funeral establishment for failure to comply with any provision of  
497 this chapter or a rule or regulation of the board, the funeral  
498 establishment shall resolve the violation to the satisfaction of  
499 the board and be in full compliance with this chapter and board  
500 rules and regulations not later than thirty (30) days after the  
501 board files the inspection report.

502 (3) (a) A funeral establishment must contain a preparation  
503 and/or embalming room, adequate casket and/or vault selection  
504 room, and holding facilities or proper room or rooms in which

505 rites and ceremonies may be held. A funeral establishment shall  
506 be subject to an inspection at least once during a two-year  
507 license period. Each new establishment must be inspected before  
508 the opening. All portions of each facility licensed under this  
509 section shall be kept in a clean and sanitary condition.

510 (b) A branch establishment must contain an office  
511 and/or an arrangement room, and a room for viewing and/or a chapel  
512 or proper place for ceremonies. A branch establishment need not  
513 meet all requirements specified in paragraph (a) of this  
514 subsection and need not be under the personal supervision of a  
515 Mississippi funeral director licensee or a Mississippi funeral  
516 service licensee.

517 If the branch meets all requirements of a funeral  
518 establishment as specified in paragraph (a) of this subsection,  
519 such establishment must be under the charge and personal  
520 supervision of a Mississippi funeral director licensee or a  
521 Mississippi funeral service licensee.

522 (c) A commercial mortuary service is a funeral  
523 establishment that embalms and transports for licensed funeral  
524 establishments and does not sell any services or merchandise  
525 directly or at retail to the public.

526 (4) Applications for funeral establishment licenses, branch  
527 establishment licenses or commercial mortuary service licenses  
528 shall be made on blanks furnished by the board and shall be  
529 accompanied by a fee in an amount fixed by the board under Section  
530 73-11-56. All establishment licenses shall be issued for a period  
531 of two (2) years, except initial licenses may be prorated from the  
532 date of issuance to the next renewal date.

533 Renewal funeral establishment and branch establishment  
534 license applications and license fees shall be due and payable to  
535 the board on or before the expiration date of the license. The  
536 board shall mail the notice of renewal and the due date for

537 payment of the renewal fee at least thirty (30) days before that  
538 date.

539 (5) If the renewal fee is not paid on or postmarked by the  
540 due date, the license shall by operation of law automatically  
541 expire and become void without further action of the board. All  
542 establishments whose licenses have expired under this section may  
543 be reinstated by filing with the board an application for  
544 reinstatement, submitting to an inspection during which time the  
545 licensee in charge of such establishment shall be interviewed by  
546 the board or its designee and by paying all renewal fees in  
547 arrears and a reinstatement fee.

548 (6) No license shall be assignable or transferable or valid  
549 for any establishment other than the original licensee. License  
550 fees and application fees are nonrefundable.

551 (7) A license for each new establishment \* \* \* shall not be  
552 issued until an inspection has been made, license and inspection  
553 fees have been paid, and the licensee in charge and/or owners of  
554 such establishment has been interviewed by the board or its  
555 designee.

556 \* \* \*

557 (8) The board is authorized to establish rules and  
558 regulations for the issuance of a special funeral establishment  
559 work permit.

560 **SECTION 10.** Section 73-11-56, Mississippi Code of 1972, is  
561 reenacted as follows:

562 73-11-56. On or before October 1 of each year, the board  
563 shall determine the amount of funds that will be required during  
564 the next ensuing two (2) years to properly administer the laws  
565 which the board is directed to enforce and administer and by rule  
566 and regulation shall fix fees in such reasonable sums as may be  
567 necessary for such purposes within the following limitations:

568 Funeral establishment:



569	Application fee, not more than.....	\$150.00
570	Inspection fee, not more than.....	\$ 75.00
571	Funeral establishment license fee, not more than....	\$150.00
572	Branch establishment license fee, not more than.....	\$150.00
573	Commercial mortuary service license fee, not	
574	more than.....	\$150.00
575	Renewal application and license fee, not more than...	\$300.00
576	Special work permit.....	\$150.00
577	Funeral service:	
578	Application fee, not more than.....	\$ 50.00
579	Reciprocal application fee, not more than.....	\$100.00
580	License fee, not more than.....	\$ 75.00
581	Renewal license fee, not more than.....	\$ 75.00
582	Work permit, not more than.....	\$ 50.00
583	Examination fee.....	Cost of the examination
584	Funeral director:	
585	Application fee, not more than.....	\$ 50.00
586	Reciprocal application fee, not more than.....	\$100.00
587	License fee, not more than.....	\$ 50.00
588	Renewal license fee, not more than.....	\$ 50.00
589	Work permit, not more than.....	\$ 50.00
590	Examination fee.....	Cost of the examination
591	Resident trainee certificate:	
592	Funeral service application fee, not more than.....	\$ 50.00
593	Funeral director application fee, not more than.....	\$ 50.00
594	Funeral service renewal application fee,	
595	not more than.....	\$ 50.00
596	Funeral director renewal application fee,	
597	not more than.....	\$ 50.00
598	Other fees:	
599	Duplicate license fee, not more than.....	\$ 25.00
600	Reinstatement of lapsed license fee, equal to the	

601 amount of the applicable license fee.

602 All licenses will have a reinstatement fee added to the  
603 renewal fee if the payment is not in the board's office or  
604 postmarked by the due date.

605 At least thirty (30) days prior to the expiration date of any  
606 license issued by the board, the board shall notify the licensee  
607 of the applicable renewal fee therefor.

608 **SECTION 11.** Section 73-11-57, Mississippi Code of 1972, is  
609 reenacted and amended as follows:

610 73-11-57. (1) The board may refuse to examine or to issue  
611 or renew, or may suspend or revoke, any license, or may reprimand  
612 or place the holder thereof on a term of probation, after proper  
613 hearing, upon finding the holder of such license to be guilty of  
614 acts of commission or omission including the following:

615 (a) The employment of fraud or deception in applying  
616 for a license or in passing the examination provided for in this  
617 chapter;

618 (b) The erroneous issuance of a license to any person;

619 (c) The conviction of a felony by any court in this  
620 state or any federal court or by the court of any other state or  
621 territory of the United States;

622 (d) The practice of embalming under a false name or  
623 without a license for the practice of funeral service;

624 (e) The impersonation of another funeral service or  
625 funeral directing licensee;

626 (f) The permitting of a person other than a funeral  
627 service or funeral directing licensee to make arrangements for a  
628 funeral and/or form of disposition;

629 (g) Violation of any provision of this chapter or any  
630 rule or regulation of the board;

631 (h) Having had a license for the practice of funeral  
632 service or funeral directing suspended or revoked in any

633 jurisdiction, having voluntarily surrendered his license in any  
634 jurisdiction, having been placed on probation in any jurisdiction,  
635 having been placed under disciplinary order(s) or other  
636 restriction in any manner for funeral directing and/or funeral  
637 service, or operating a funeral establishment (a certified copy of  
638 the order of suspension, revocation, probation or disciplinary  
639 action shall be prima facie evidence of such action);

640 (i) Solicitation of dead human bodies by the licensee,  
641 his agents, assistants or employees, whether such solicitation  
642 occurs after death or when death is imminent; if the person  
643 solicited has made known a desire not to receive the  
644 communication, or if the solicitation involves coercion, duress or  
645 harassment, or if the solicitation takes place at the residence of  
646 the client or prospective client, is uninvited by the client or  
647 prospective client and has not been previously agreed to by the  
648 client or prospective client; however, this shall not be deemed to  
649 prohibit general advertising;

650 (j) Employment directly or indirectly of any  
651 apprentice, agent, assistant, employee, or other person, on a  
652 part-time or full-time basis or on commission, for the purpose of  
653 calling upon individuals or institutions by whose influence dead  
654 human bodies may be turned over to a particular funeral  
655 establishment;

656 (k) Failure to make responses to communications or  
657 requests of the board within thirty (30) days;

658 \* \* \*

659 (l) Knowingly performing any act that in any way  
660 assists an unlicensed person to practice funeral service or  
661 funeral directing;

662 (m) Knowingly making a false statement on death  
663 certificates; or

664           (n) Unprofessional conduct which includes, but is not  
665 limited to:

666                   (i) Retaining a dead human body for the payment of  
667 a fee for the performance of services that are not  
668 authorized \* \* \*;

669                   (ii) Knowingly performing any act which in any way  
670 assists an unlicensed person to practice funeral service or  
671 funeral directing;

672                   (iii) Being guilty of any dishonorable conduct  
673 likely to deceive, defraud or harm the public;

674                   (iv) Any act or omission in the practice of  
675 funeral service or directing which constitutes dishonesty, fraud  
676 or misrepresentation with the intent to benefit the licensee,  
677 another person or funeral establishment, or with the intent to  
678 substantially injure another person, licensee or funeral  
679 establishment; or

680                   (v) Any act or conduct, whether the same or of a  
681 different character than specified above, which constitutes or  
682 demonstrates bad faith, incompetency or untrustworthiness; or  
683 dishonest, fraudulent or improper dealing; or any other violation  
684 of the provisions of this chapter, the rules and regulations  
685 established by the board or any rule or regulation promulgated by  
686 the Federal Trade Commission relative to the practice of funeral  
687 service or funeral directing.

688           (2) The board may, upon satisfactory proof that the  
689 applicant or licensee has been guilty of any of the offenses above  
690 enumerated, refuse to examine or issue a license to the applicant,  
691 or may refuse to renew or revoke or suspend the license of the  
692 licensee, or place on probation or reprimand him, upon a majority  
693 vote of the board members, after a hearing thereon. The board  
694 is \* \* \* vested with full power and authority to hold and conduct  
695 such hearings, compel the attendance of witnesses and the

696 production of books, records and documents, issue subpoenas  
697 therefor, administer oaths, examine witnesses, and do all things  
698 necessary to properly conduct such hearings. The board may waive  
699 the necessity of a hearing if the person accused of a violation  
700 admits that he has been guilty of such offense. Any person who  
701 has been refused a license or whose license has been revoked or  
702 suspended may, within thirty (30) days after the decision of the  
703 board, file with the board a written notice stating that he feels  
704 himself aggrieved by such decision and may appeal therefrom to the  
705 circuit court of the county and judicial district of residence of  
706 the person, or if the person is a nonresident of the State of  
707 Mississippi, to the Circuit Court of the First Judicial District  
708 of Hinds County. Upon the filing of such notice, the secretary of  
709 the board shall transmit to the clerk of the circuit court the  
710 records and findings of such proceedings. The circuit court shall  
711 hear and determine as to whether the action of the board was in  
712 accord or consistent with law, or was arbitrary, unwarranted or in  
713 abuse of discretion. An appeal from the circuit court judgment or  
714 decree may be reviewed by the Supreme Court as is provided by law  
715 for other appeals. An appeal of a decision or order of the board  
716 does not act as a supersedeas.

717 (3) In a proceeding conducted under this section by the  
718 board for the revocation or suspension of a license, the board  
719 shall have the power and authority for the grounds stated for such  
720 revocation or suspension, and in addition thereto or in lieu of  
721 such revocation or suspension may assess and levy upon any person  
722 licensed under this chapter, a monetary penalty, as follows:

723 (a) For the first violation of any of the subparagraphs  
724 of subsection (1) of this section, a monetary penalty of \* \* \*  
725 Five Hundred Dollars (\$500.00).

726 (b) For the second violation of any of the  
727 subparagraphs of subsection (1) of this section, a monetary  
728 penalty of \* \* \* One Thousand Dollars (\$1,000.00).

729 (c) For the third and any subsequent violation of any  
730 of the subparagraphs of subsection (1) of this section, a monetary  
731 penalty of \* \* \* Five Thousand Dollars (\$5,000.00).

732 (d) For any violation of any of the subparagraphs of  
733 subsection (1) of this section, those reasonable costs that are  
734 expended by the board in the investigation and conduct of a  
735 proceeding for licensure revocation or suspension, including, but  
736 not limited to, the cost of process service, court reporters,  
737 expert witnesses and investigators.

738 (4) The power and authority of the board to assess and levy  
739 such monetary penalties hereunder shall not be affected or  
740 diminished by any other proceeding, civil or criminal, concerning  
741 the same violation or violations except as provided in this  
742 section.

743 (5) A licensee shall have the right of appeal from the  
744 assessment and levy of a monetary penalty as provided in this  
745 section under the same conditions as a right of appeal is provided  
746 elsewhere for appeals from an adverse ruling, order or decision of  
747 the board.

748 (6) Any monetary penalty assessed and levied under this  
749 section shall not take effect until after the time for appeal  
750 shall have expired.

751 (7) A monetary penalty assessed and levied under this  
752 section shall be paid to the board by the licensee upon the  
753 expiration of the period allowed for appeal of such penalties  
754 under this section or may be paid sooner if the licensee elects.  
755 With the exception of subsection (3)(d) of this section, monetary  
756 penalties collected by the board under this section shall be  
757 deposited in the State Treasury to the credit of the State Board

758 of Funeral Service. Any monies collected by the board under  
759 subsection (3)(d) of this section shall be deposited into the  
760 special fund operating account of the board.

761 (8) When payment of a monetary penalty assessed and levied  
762 by the board against a licensee in accordance with this section is  
763 not paid by the licensee when due under this section, the board  
764 shall have power to institute and maintain proceedings in its name  
765 for enforcement of payment in the chancery court of the county and  
766 judicial district of residence of the licensee, or if the licensee  
767 is a nonresident of the State of Mississippi, \* \* \* in the  
768 Chancery Court of the First Judicial District of Hinds County,  
769 Mississippi.

770 (9) In addition to the reasons specified in subsection (1)  
771 of this section, the board shall be authorized to suspend the  
772 license of any licensee for being out of compliance with an order  
773 for support, as defined in Section 93-11-153. The procedure for  
774 suspension of a license for being out of compliance with an order  
775 for support, and the procedure for the reissuance or reinstatement  
776 of a license suspended for that purpose, and the payment of any  
777 fees for the reissuance or reinstatement of a license suspended  
778 for that purpose, shall be governed by Section 93-11-157 or  
779 93-11-163, as the case may be. Actions taken by the board in  
780 suspending a license when required by Section 93-11-157 or  
781 93-11-163 are not actions from which an appeal may be taken under  
782 this section. Any appeal of a license suspension that is required  
783 by Section 93-11-157 or 93-11-163 shall be taken in accordance  
784 with the appeal procedure specified in Section 93-11-157 or  
785 93-11-163, as the case may be, rather than the procedure specified  
786 in this section. If there is any conflict between any provision  
787 of Section 93-11-157 or 93-11-163 and any provision of this  
788 chapter, the provisions of Section 93-11-157 or 93-11-163, as the  
789 case may be, shall control.

790           **SECTION 12.** The following shall be codified as Section  
791 73-11-58, Mississippi Code of 1972:

792           73-11-58. (1) If a decedent has left no written  
793 authorization for the cremation and or disposition of the  
794 decedent's body as permitted by law, the following competent  
795 persons, in the order of priority listed below, may authorize the  
796 type, method, place, cremation and or other disposition of the  
797 decedent's body:

798                   (a) The surviving spouse.

799                   (b) The surviving children who are at least eighteen  
800 (18) years of age and can be located after reasonable efforts.

801                   (c) The surviving parents.

802                   (d) The surviving siblings who are at least eighteen  
803 (18) years of age and can be located after reasonable efforts.

804                   (e) A person in the class of the next degree of  
805 kinship, in descending order, who, under state law, would inherit  
806 the decedent's estate if the decedent died intestate who are at  
807 least eighteen (18) years of age and can be located with  
808 reasonable effort.

809                   (f) A person who has exhibited special care and concern  
810 for the decedent and is willing and able to make decisions about  
811 the cremation and disposition.

812                   (g) In the case of indigents or any other individuals  
813 whose final disposition is the responsibility of the state or any  
814 of its instrumentalities, a public administrator, medical  
815 examiner, coroner, state-appointed guardian, or any other public  
816 official charged with arranging the final disposition of the  
817 decedent may serve as the authorizing agent.

818                   (h) In the case of individuals who have donated their  
819 bodies to science or whose death occurred in a nursing home or  
820 private institution and in which the institution is charged with  
821 making arrangements for the final disposition of the decedent, a



822 representative of the institution may serve as the authorizing  
823 agent in the absence of any of the above.

824           (i) In the absence of any of the above, any person  
825 willing to assume responsibility for the cremation and disposition  
826 of the decedent.

827           (2) No funeral establishment shall accept a dead human body  
828 from any public officer or employee or from the official of any  
829 institution, hospital or nursing home, or from a physician or any  
830 person having a professional relationship with a decedent, without  
831 having first made due inquiry as to the desires of the persons who  
832 have the legal authority to direct the disposition of the  
833 decedent's body. If any persons are found, their authority and  
834 directions shall govern the disposal of the remains of the  
835 decedent. Any funeral establishment receiving the remains in  
836 violation of this subsection shall make no charge for any service  
837 in connection with the remains before delivery of the remains as  
838 stipulated by the persons having legal authority to direct the  
839 disposition of the body. This section shall not prevent any  
840 funeral establishment from charging and being reimbursed for  
841 services rendered in connection with the removal of the remains of  
842 any deceased person in case of accidental or violent death and  
843 rendering necessary professional services required until the  
844 persons having legal authority to direct the disposition of the  
845 body have been notified,

846           **SECTION 13.** Section 73-11-59, Mississippi Code of 1972, is  
847 reenacted and amended as follows:

848           73-11-59. Any person, partnership, corporation, association  
849 or his or her or its agents or representatives who shall violate  
850 any of the provisions of this chapter shall be deemed guilty of a  
851 misdemeanor and, upon conviction thereof, shall be punished by a  
852 fine of Five Thousand Dollars (\$5,000.00), or by imprisonment for

853 not more than six (6) months in the county jail, or by both such  
854 fine and imprisonment.

855         **SECTION 14.** Section 73-11-61, Mississippi Code of 1972, is  
856 reenacted as follows:

857         73-11-61. Every funeral director or funeral service licensee  
858 shall provide, before the rendering of services, the funeral  
859 establishment's current general price list, casket price list,  
860 outer container price list, and a statement of goods and services  
861 to the person or persons who authorize the services and is  
862 responsible for payment of the expenses therefor, in a manner and  
863 format as prescribed by the Federal Trade Commission's Funeral  
864 Rule of 1984 and any future changes with regard to required  
865 disclosures. The general price list must be made available to any  
866 person upon request.

867         **SECTION 15.** Section 73-11-63, Mississippi Code of 1972, is  
868 reenacted and amended as follows:

869         73-11-63. Nothing in this chapter shall be construed to  
870 authorize the regulation or licensing of cemeteries or cemetery  
871 chapels \* \* \* by the board, except the regulation or licensing of  
872 any funeral establishment operated by a cemetery. In addition,  
873 nothing in this chapter shall be construed to prevent or interfere  
874 with the ceremonies, customs, religious rites or religion of any  
875 people, denomination, or sect, or to prevent or interfere with any  
876 religious denomination, sect or anybody composed of persons of a  
877 denomination, or to prevent or interfere with any church or  
878 synagogue from having its committee or committees prepare human  
879 bodies for burial or the families, friends or neighbors of  
880 deceased persons who prepare and bury their dead without charge.

881         **SECTION 16.** Section 73-11-65, Mississippi Code of 1972, is  
882 reenacted as follows:

883         73-11-65. Every funeral service or interment, or part  
884 thereof, that is conducted in Mississippi must be in the actual

885 charge and under the supervision of a funeral director or funeral  
886 service licensee who is licensed under this chapter. However,  
887 this section shall not prevent a family from burying its own dead  
888 without charge.

889 **SECTION 17.** Section 73-11-67, Mississippi Code of 1972, is  
890 reenacted and amended as follows:

891 73-11-67. Every person, establishment or company not  
892 licensed under this chapter that sells caskets at retail shall  
893 register annually with the board. \* \* \* The names of registrants  
894 under this section shall be made available to any person upon  
895 request during the regular business hours of the board. The  
896 procedure for conducting a disciplinary proceeding against any  
897 casket retailer accused of failing to register with the board, as  
898 well as the penal sanctions available to the board, shall be the  
899 same as those set forth in Section 73-11-57.

900 **SECTION 18.** Section 73-11-69, Mississippi Code of 1972, is  
901 reenacted and amended as follows:

902 73-11-69. (1) No person shall operate a crematory facility  
903 in this state unless the person is licensed by the State Board of  
904 Funeral Service. An application for a crematory facility license  
905 shall be accompanied by a fee in an amount not to exceed the fee  
906 fixed by the board for a funeral establishment license.

907 (2) The operator of a crematory facility shall issue a  
908 certificate of cremation to the family of each person cremated in  
909 the facility. In addition, the operator of the crematory facility  
910 shall maintain a log of all cremations performed in the facility,  
911 and this log shall match the certificates of cremation that have  
912 been issued by the facility.

913 (3) No operator of a crematory facility shall knowingly  
914 represent that an urn or temporary container contains the  
915 recovered cremated remains of specific decedent or of body parts  
916 removed from a specific decedent when it does not. This

917 subsection does not prohibit the making of such a representation  
918 because of the presence in the recovered cremated remains of de  
919 minimis amounts of the cremated remains of another decedent or of  
920 body parts.

921 (4) The board shall inspect each licensed crematory facility  
922 during each licensure period, and at such other times as  
923 necessary, to verify that the crematory facility is in compliance  
924 with the requirements of this section. Any person who operates a  
925 crematory facility in this state without a license, or any person  
926 who otherwise violates any provision of this section, is guilty of  
927 a felony. Upon conviction for a violation of this section, in  
928 addition to any penalty that may be imposed by the court, the  
929 board may revoke the person's crematory facility license.

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

933 (6) Any crematory or funeral establishment may dispose of  
934 any remains unclaimed by the family after twelve (12) months after  
935 cremation by scattering or burial upon a final notification to the  
936 next of kin by certified mail to their last known address.

937 **SECTION 19.** This act shall take effect and be in force from  
938 and after July 1, 2005.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 73-11-33, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE DATE OF THE REPEALER ON THE PROVISIONS OF LAW THAT  
3 CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES  
4 AND POWERS; TO REENACT SECTIONS 73-11-41 THROUGH 73-11-69,  
5 MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF FUNERAL  
6 SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED  
7 SECTION 73-11-41, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN  
8 TERMS; TO AMEND REENACTED SECTION 73-11-49, MISSISSIPPI CODE OF  
9 1972, TO CLARIFY THE LANGUAGE THAT PROHIBITS THE BOARD FROM  
10 ADOPTING RULES OR REGULATIONS PERTAINING TO THE TRANSPORTATION OF  
11 DEAD BODIES; TO REQUIRE THE BOARD TO ISSUE REGULATIONS, WITH THE  
12 APPROVAL OF THE STATE BOARD OF HEALTH, PERTAINING TO THE  
13 REQUIREMENTS FOR USING VAULTS AND CASKETS FOR BURIAL; TO AMEND  
14 REENACTED SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO SPECIFY  
15 THE EXAMINATION THAT AN APPLICANT MUST PASS TO BE LICENSED FOR THE

16 PRACTICE OF FUNERAL SERVICE; TO PROVIDE THAT THE BOARD MAY ISSUE  
17 LICENSES BY RECIPROCITY TO PERSONS HOLDING A NONRECIPROCAL LICENSE  
18 IN ANOTHER STATE HAVING REQUIREMENTS GREATER THAN OR EQUAL TO  
19 THOSE OF THIS STATE; TO AUTHORIZE THE BOARD TO ENTER INTO WRITTEN  
20 AGREEMENTS WITH OTHER STATES DETAILING THE MANNER AND EXTENT TO  
21 WHICH PERSONS LICENSED BY THE STATE OF MISSISSIPPI MAY PRACTICE  
22 FUNERAL SERVICE OR DIRECTING IN THOSE STATES; TO AMEND REENACTED  
23 SECTION 73-11-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
24 RESIDENT TRAINEES MUST SERVE THEIR APPRENTICESHIP IN A FUNERAL  
25 ESTABLISHMENT LICENSED BY THE STATE OF MISSISSIPPI AND THEIR  
26 PRECEPTOR MUST BE A MISSISSIPPI LICENSEE WHO IS EMPLOYED BY A  
27 MISSISSIPPI LICENSED FUNERAL ESTABLISHMENT; TO AMEND REENACTED  
28 SECTION 73-11-55, MISSISSIPPI CODE OF 1972, TO REQUIRE FUNERAL  
29 ESTABLISHMENTS TO RESOLVE VIOLATIONS FOUND DURING INSPECTIONS AND  
30 BE IN FULL COMPLIANCE WITH STATE LAW AND REGULATIONS WITHIN THIRTY  
31 DAYS AFTER FILING OF THE INSPECTION REPORT; TO DELETE THE  
32 REQUIREMENT FOR INSPECTION AND INTERVIEW BEFORE A CHANGE OF  
33 LOCATION, CHANGE OF OWNERSHIP, OR REINSTATEMENT OF AN  
34 ESTABLISHMENT IS AUTHORIZED; TO DELETE THE PROHIBITION ON  
35 OPERATORS OF A FUNERAL ESTABLISHMENT FROM ALLOWING PERSONS  
36 LICENSED FOR THE PRACTICE OF FUNERAL SERVICE OR FUNERAL DIRECTING  
37 TO OPERATE OUT OF THE FUNERAL ESTABLISHMENT UNLESS THE LICENSEE IS  
38 THE OPERATOR OF OR AN EMPLOYEE OF THE OPERATOR OF A FUNERAL  
39 ESTABLISHMENT THAT HAS BEEN ISSUED A LICENSE BY THE BOARD; TO  
40 AMEND REENACTED SECTION 73-11-57, MISSISSIPPI CODE OF 1972, TO  
41 DELETE AS A GROUND FOR DISCIPLINARY ACTION THE FAILURE TO COMPLY  
42 WITH AN ORDER OF THE BOARD WITHIN THIRTY DAYS; TO PROVIDE THAT  
43 MAKING A FALSE STATEMENT ON A DEATH CERTIFICATE MUST BE DONE  
44 KNOWINGLY IN ORDER TO BE GROUNDS FOR DISCIPLINARY ACTION; TO  
45 PROVIDE THAT APPEALS OF DISCIPLINARY ACTIONS OF THE BOARD SHALL BE  
46 MADE TO THE CIRCUIT COURT OF THE COUNTY AND JUDICIAL DISTRICT OF  
47 RESIDENCE OF THE APPELLANT; TO PROVIDE THAT THE AMOUNT OF THE  
48 MONETARY PENALTIES THAT THE BOARD MAY IMPOSE SHALL BE A STATED  
49 AMOUNT RATHER THAN HAVING A MINIMUM AND MAXIMUM AMOUNT; TO PROVIDE  
50 THAT MONETARY PENALTIES COLLECTED BY THE BOARD SHALL BE DEPOSITED  
51 IN THE STATE TREASURY TO THE CREDIT OF THE STATE BOARD OF FUNERAL  
52 SERVICE INSTEAD OF THE STATE GENERAL FUND; TO CREATE NEW SECTION  
53 73-11-58, MISSISSIPPI CODE OF 1972, TO SPECIFY A LIST OF PERSONS  
54 THAT MAY AUTHORIZE THE TYPE, METHOD, PLACE, CREMATION AND OR OTHER  
55 DISPOSITION OF A DECEDENT'S BODY IF THE DECEDENT HAS LEFT NO  
56 WRITTEN AUTHORIZATION FOR THE CREMATION AND OR DISPOSITION OF HIS  
57 BODY; TO AMEND REENACTED SECTION 73-11-59, MISSISSIPPI CODE OF  
58 1972, TO PROVIDE THAT THE AMOUNT OF THE CRIMINAL PENALTIES FOR  
59 VIOLATIONS OF THE FUNERAL SERVICE LICENSURE LAW SHALL BE A STATED  
60 AMOUNT RATHER THAN HAVING A MINIMUM AND MAXIMUM AMOUNT; TO AMEND  
61 REENACTED SECTION 73-11-63, MISSISSIPPI CODE OF 1972, TO REMOVE  
62 THE PROHIBITION ON THE BOARD REGULATION OF CEMETERY CREMATORIES;  
63 TO AMEND REENACTED SECTION 73-11-67, MISSISSIPPI CODE OF 1972, TO  
64 DELETE THE PROVISION THAT RETAIL SELLERS OF CASKETS ARE NOT  
65 SUBJECT TO REGULATION OR SUPERVISION BY THE BOARD; TO AMEND  
66 REENACTED SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO PROVIDE  
67 THAT THE BOARD SHALL INSPECT EACH LICENSED CREMATORY FACILITY  
68 DURING EACH LICENSURE PERIOD; TO AUTHORIZE CREMATORIES AND FUNERAL  
69 ESTABLISHMENTS TO DISPOSE OF ANY REMAINS UNCLAIMED BY THE FAMILY  
70 AFTER TWELVE MONTHS AFTER CREMATION UPON NOTIFICATION TO THE NEXT  
71 OF KIN; AND FOR RELATED PURPOSES.