

By: Representative Banks

To: Public Health and Human
Services

HOUSE BILL NO. 1325

1 AN ACT TO AMEND SECTION 73-11-67, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE ESTABLISHMENTS SELLING CASKETS TO PROVIDE THE CONSUMER
3 WITH CERTAIN INFORMATION; TO PROVIDE THAT THE STATE BOARD OF
4 FUNERAL SERVICE SHALL PROMULGATE RULES AND REGULATIONS NECESSARY
5 TO IMPLEMENT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 73-11-67, Mississippi Code of 1972, is
8 amended as follows:

9 73-11-67. (1) Every person, establishment or company not
10 licensed under this chapter that sells caskets at retail shall
11 register annually with the board. The names of registrants under
12 this section shall be made available to any person upon request
13 during the regular business hours of the board. The procedure for
14 conducting a disciplinary proceeding against any casket retailer
15 accused of failing to register with the board, as well as the
16 penal sanctions available to the board, shall be the same as those
17 set forth in Section 73-11-57.

18 (2) In addition to the requirements under subsection (1) of
19 this section, every establishment selling caskets where the seller
20 delivers the casket at the time of the execution of the contract
21 or upon final payment, should the payment be made in installments,
22 shall be registered with and regulated by the State Board of
23 Funeral Service of the State of Mississippi. Such establishments
24 shall:

25 (a) Furnish the consumer with a price list of all
26 caskets available from the establishment from the lowest price to
27 the highest price and state on any contract with the consumer the
28 fee that shall be charged for delivery of the casket;

29 (b) Coordinate the delivery of the casket with a
30 funeral home or other receiving party;

31 (c) Provide warranty information to the consumer or, if
32 there is no warranty, inform the consumer that there is no
33 warranty;

34 (d) Provide the name of the manufacturer of the casket
35 to the consumer; and

36 (e) Provide the consumer with an itemized bill, which
37 bill must be signed by the consumer and kept by the establishment
38 selling the casket for a period of at least three (3) years from
39 the date of sale.

40 (3) The State Board of Funeral Service shall promulgate
41 rules and regulations necessary to implement the provisions of
42 this act.

43 **SECTION 2.** This act shall take effect and be in force from
44 and after July 1, 2006.