To: Public Health and Human Services

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2007

By: Representative Banks

HOUSE BILL NO. 1302

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

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

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

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

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

(a) Furnish the consumer with a price list of all caskets available from the establishment from the lowest price to the highest price and state on any contract with the consumer the fee that shall be charged for delivery of the casket;
ST: Caskets; require sellers to be registered with and regulated by the State Board of Funeral Service.

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

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

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

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

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2007.