

By: Representative Banks

To: Public Health and Human Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1297

1 AN ACT TO AMEND SECTION 73-11-67, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT RETAIL SELLERS OF CASKETS THAT SELL PRENEED
3 CONTRACTS FOR CASKETS SHALL BE REQUIRED TO MEET ALL OF THE
4 REQUIREMENTS THAT ARE APPLICABLE TO PRENEED CONTRACTS FOR FUNERAL
5 SERVICES; 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) Any person, establishment or company required to
19 register under subsection (1) of this section that sells preneed
20 contracts for caskets, either directly or indirectly or through an
21 agent, shall be required to meet all of the requirements of
22 Sections 75-63-51 through 75-53-75 that are applicable to preneed
23 contracts for funeral services under those sections. For the
24 purposes of this section, the term "preneed contract for caskets"
25 means any contract, agreement or any series or combination of
26 contracts or agreements, whether funded by trust deposits or
27 insurance, or any combination thereof, which is for the purpose of
28 furnishing or delivering a casket or caskets for the final

29 disposition of a dead human body, to be furnished or delivered at
30 a time determinable by the death of the person whose body is to be
31 disposed of.

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