

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Public Policy, to which was referred Senate Bill No. 130, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1           Page 2, line 23, after "the" insert "**cemetery, consumer, and state**  
2           **department of health members of the**".

3           Page 2, line 24, delete "IC 25-15-9-8(1)(D)." and insert "**IC**  
4           **25-15-9-10(4)**".

5           Page 2, delete lines 25 through 42 and insert:  
6           "SECTION 2. IC 25-15-9-10 IS AMENDED TO READ AS  
7           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The cemetery,  
8           consumer, and the state department of health members of the board  
9           shall do the following:

- 10           (1) Determine compliance with IC 23-14 by cemetery owners.  
11           (2) Investigate a complaint alleging a violation of IC 23-14.  
12           (3) For a violation of IC 23-14 by a cemetery owner, if  
13           necessary, take any combination of the following actions:  
14                 (A) Issue an appropriate order to correct the violation.  
15                 (B) Suspend the seller's certificate of authority issued under  
16                 IC 30-2-13.  
17                 (C) Censure the cemetery owner.  
18                 (D) Issue a letter of reprimand.

1 (E) Assess a civil penalty against the cemetery owner in an  
2 amount not to exceed one thousand dollars (\$1,000) for  
3 each violation, except for a finding of incompetency due to  
4 a physical or mental disability. When imposing a civil  
5 penalty, the board shall consider a cemetery owner's ability  
6 to pay the amount assessed.

7 (F) Refer the matter to the attorney general or prosecuting  
8 attorney for enforcement.

9 **(4) Adopt rules under IC 4-22-2 to establish standards for**  
10 **setting a grave marker provided by the federal government**  
11 **to a member of the armed forces or other qualified person as**  
12 **described in IC 10-5-3-1. The standards must require a**  
13 **person who sets the grave marker to do so in the most**  
14 **economical manner possible."**

15 Page 3, delete lines 1 through 36.

16 Page 3, line 37, after "The" insert "**cemetery, consumer, and**  
17 **state department of health members of the**".

18 Page 3, line 39, delete "IC 25-15-9-8(1)(D)," and insert  
19 "**IC 25-15-9-10(4)**".

(Reference is to SB 130 as introduced.)

**and when so amended that said Bill do pass.**

Committee Vote: Yeas 8, Nays 0.

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**Senator Wyss, Chairperson**