



January 26, 2011

SENATE BILL No. 467

DIGEST OF SB 467 (Updated January 24, 2011 1:21 pm - DI 113)

Citations Affected: IC 24-5; IC 25-15.

Synopsis: Country of origin of caskets. Provides that a supplier of a casket or a person who sells or prepares for sale a casket and who removes, covers, alters, or makes unreadable a country of origin marking on the casket commits a deceptive act. Provides that removing, covering, altering, or making unreadable a country of origin marking on a casket may be grounds for discipline for a licensed funeral home director, funeral home, or embalmer.

Effective: July 1, 2011.

Paul, Leising

January 13, 2011, read first time and referred to Committee on Commerce & Economic Development.
January 25, 2011, reported favorably — Do Pass.

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SB 467—LS 6916/DI 77+



January 26, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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SENATE BILL No. 467

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 24-5-0.5-13 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: **Sec. 13. (a) As used in this section, "casket" means a rigid
4 enclosure that:**
5 (1) is made of wood, metal, or other material;
6 (2) is ornamented;
7 (3) has a fixed or nonfixed inner lining; and
8 (4) is designed to encase human remains.
9 (b) A:
10 (1) supplier of; or
11 (2) person who sells or prepares for sale;
12 **the casket commits a deceptive act if the supplier or person
13 removes, covers, alters, or makes unreadable a country of origin
14 marking on the casket.**
15 SECTION 2. IC 25-15-8-1 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. A licensee that:
17 (1) promotes or participates in a scheme or plan in the nature of

SB 467—LS 6916/DI 77+



1 a burial association, burial certificate plan, or burial membership
 2 plan;
 3 (2) after an individual has died, personally or through an agent
 4 solicits, makes, or offers to make a direct or an indirect payment
 5 of a commission for the purpose of securing the individual's
 6 human remains;
 7 (3) fails to promptly surrender possession of human remains after
 8 receiving a demand from the person legally entitled to custody of
 9 the human remains;
 10 (4) transports or disposes of human remains without a permit
 11 required by law;
 12 (5) takes possession of human remains without authorization from
 13 the person legally entitled to custody of the human remains;
 14 (6) makes a misleading claim concerning the protective qualities
 15 of a casket, an alternative container, or an outer burial container;
 16 or
 17 (7) shows a casket, an alternative container, or an outer burial
 18 container to a consumer if the casket, alternative container, or
 19 outer burial container does not have a conspicuously displayed
 20 card or brochure that lists the price of the casket, alternative
 21 container, or outer burial container and briefly describes the
 22 casket, alternative container, or outer burial container; or
 23 **(8) commits a deceptive act under IC 24-5-0.5-13;**
 24 may be disciplined under IC 25-1-11.

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Economic Development, to which was referred Senate Bill No. 467, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 467 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 8, Nays 0.

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