

SENATE BILL No. 370

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-15-10.

Synopsis: Funeral services courtesy cards. Provides for the board of funeral and cemetery service to create a courtesy card for funeral directors licensed in states that border Indiana, authorizing the funeral directors to provide certain funeral services in Indiana.

Effective: July 1, 2012.

Mishler

January 9, 2012, read first time and referred to Committee on Commerce & Economic Development.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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SENATE BILL No. 370



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-15-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]:
4 **Chapter 10. Courtesy Cards for Funeral Services**
5 **Sec. 1. As used in this chapter, "courtesy card" means a special**
6 **permit issued by the board to funeral directors licensed in states**
7 **that border Indiana.**
8 **Sec. 2. As used in this section, "funeral ceremonies" refer to**
9 **services or rites commemorating the deceased, with the dead**
10 **human body present, conducted at:**
11 (1) churches;
12 (2) funeral homes;
13 (3) cemeteries;
14 (4) crematories; or
15 (5) elsewhere.
16 **Funeral ceremonies include visitations, funerals, graveside funeral**
17 **services, and other similar rites or ceremonies.**



1 **Sec. 3. The board shall issue a courtesy card to an individual**
 2 **who is not licensed under this article as a funeral director but who**
 3 **is licensed or certified as a funeral director in one (1) or more**
 4 **states, if all of the following requirements are met:**

5 **(1) The individual is licensed as a funeral director in a state**
 6 **that borders Indiana.**

7 **(2) The bordering state issues courtesy cards or similar**
 8 **permits to funeral directors licensed in Indiana.**

9 **(3) The individual completes an application for a courtesy**
 10 **card on a form provided by the board. The application for a**
 11 **courtesy card must include certification, including the seal of**
 12 **the state where the individual is licensed.**

13 **(4) The individual certifies on the application that the**
 14 **individual has reviewed and understands materials prepared**
 15 **by the board for individuals seeking courtesy cards.**

16 **(5) The individual pays the fee established under section 4 of**
 17 **this chapter.**

18 **Sec. 4. The board shall adopt rules under IC 4-22-2 to set the fee**
 19 **for the card. The fee must be sufficient to cover the cost of issuing**
 20 **the card. When establishing the fee, the board must consider the**
 21 **fees charged by states bordering Indiana that issue courtesy cards.**
 22 **Insofar as possible, the fees established must be consistent with the**
 23 **fees of the bordering states that issue courtesy cards.**

24 **Sec. 5. A courtesy card issued under this chapter is valid for a**
 25 **period of one (1) year.**

26 **Sec. 6. The holder of a courtesy card issued under this chapter**
 27 **is authorized to undertake the following acts of funeral directing:**

28 **(1) Remove and transport unembalmed and embalmed**
 29 **deceased human bodies:**

30 **(A) to Indiana from; and**

31 **(B) from Indiana to;**

32 **the state or states where the courtesy card holder is licensed as**
 33 **a funeral director.**

34 **(2) Prepare and complete sections of a death certificate and**
 35 **other disposition permits needed for disposition of deceased**
 36 **human remains, and sign and file death certificates and**
 37 **permits.**

38 **(3) Sign and file death certificates and other disposition**
 39 **permits without the assistance of or being under the**
 40 **supervision of a funeral director licensed under this article.**

41 **(4) Supervise and conduct funeral ceremonies in Indiana**
 42 **without the assistance of a funeral director licensed under this**

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article.
Sec. 7. A courtesy card holder must comply with all laws and rules of Indiana when engaged in any acts of funeral directing in this state. The board may revoke or suspend a courtesy card or subject the courtesy card holder to discipline in accordance with the laws and rules applicable to funeral directors licensed under this article. Any disciplinary measure taken by the board against a courtesy card holder must be reported by the board to the state board or agency that issued the courtesy card holder's funeral director's license or certification.

Sec. 8. The holder of a courtesy card issued under this chapter is not authorized to undertake the following acts:

- (1) Transfer the courtesy card to another individual.
- (2) Own or operate a funeral home, crematory, or office that provides or offers to sell or arrange funeral or disposition services in Indiana.
- (3) Except as provided in section 6 of this chapter, perform any acts related to the practice of funeral direction in Indiana, including:
 - (A) arranging for a funeral or disposition service with members of the public;
 - (B) being employed by or contracted to perform funeral or embalming service in Indiana by a funeral home licensed under this article;
 - (C) advertising funeral or disposition services;
 - (D) executing contracts for funeral or disposition services in Indiana;
 - (E) preparing or embalming deceased human remains in Indiana; or
 - (F) exhuming or disinterring human remains in Indiana.

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