

CHAPTER 69**(SB 143)**

AN ACT relating to embalmers and funeral directors.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 316.030 is amended to read as follows:

- (1) No person shall engage in, or attempt to engage in, embalming or funeral directing in the Commonwealth of Kentucky unless the person is licensed under the provisions of this chapter.
- (2) ***All Kentucky-licensed persons who practice embalming or funeral directing in Kentucky shall practice from a funeral establishment that is licensed to operate under the provisions of this chapter.***
- (3) One (1) member of every firm, and one (1) officer and one (1) stockholder of every corporation, that engages in embalming and funeral directing in Kentucky, shall be a Kentucky-licensed embalmer and a Kentucky-licensed funeral director.
- ~~(4)(3)~~ One board shall issue an embalmer's license to an applicant who:
 - (a) Is at least eighteen (18) years of age;
 - (b) Is of good moral character;
 - (c) Has graduated from high school or possesses a High School Equivalency Diploma;
 - (d) Has received an associate degree in funeral services from a college or university accredited by the American Board of Funeral Service Education;
 - (e) Has served an apprenticeship of one (1) year in a Kentucky funeral establishment under the supervision of a Kentucky-licensed embalmer;
 - (f) Has taken an active part during the apprenticeship in assisting with the embalming of at least twenty-five (25) dead human bodies under the direct supervision of a Kentucky-licensed embalmer;
 - (g) Has paid to the board an examination fee of seventy-five dollars (\$75); and
 - (h) Has passed an examination prepared or approved by the board.
- ~~(5)(4)~~ The board shall issue a funeral director's license to an applicant who:
 - (a) Is at least eighteen (18) years of age;
 - (b) Is of good moral character;
 - (c) Has graduated from high school or possesses a High School Equivalency Diploma;
 - (d) Has served an apprenticeship of three (3) consecutive years in a Kentucky funeral establishment under the supervision of a Kentucky-licensed funeral director. An associate degree in funeral services from a college or university accredited by the American Board of Funeral Service Education shall substitute for two (2) years of the apprenticeship. The completion of thirty (30) semester credit hours or the equivalent from an accredited college or university shall substitute for one (1) year of the apprenticeship. At no time shall more than two (2) years of the apprenticeship be substituted;

- (e) Has taken an active part during the apprenticeship in assisting with the management of at least twenty-five (25) funerals under the direct supervision of a Kentucky-licensed funeral director;
 - (f) Has paid to the board an examination fee of seventy-five dollars (\$75); and
 - (g) Has passed an examination prepared or approved by the board.
- ~~(6)(5)~~ An applicant may serve embalming and funeral directing apprenticeships concurrently.
- ~~(7)(6)~~ At the beginning of an apprenticeship, an applicant for an embalmer's or a funeral director's license shall:
- (a) Appear before the board;
 - (b) Pay to the board a registration fee of thirty dollars (\$30); and
 - (c) File with the board the sworn statement of the supervising Kentucky-licensed embalmer or the Kentucky-licensed funeral director averring that the applicant will work full-time under supervision in the funeral establishment and will receive a regular salary.
- ~~(8)(7)~~ An applicant shall work full-time in the funeral establishment during the apprenticeship and shall receive a regular salary.
- ~~(9)(8)~~ An applicant shall file with the board semiannually during the apprenticeship sworn statements by the applicant and the supervising Kentucky-licensed embalmer or Kentucky-licensed funeral director setting out the number of hours worked, the number of embalmings or funerals in which the applicant has assisted, and the salary received.
- ~~(10)(9)~~ A Kentucky-licensed embalmer or a Kentucky-licensed funeral director shall not supervise more than five (5) applicants serving apprenticeships at any one (1) time.

Section 2. KRS 316.140 is amended to read as follows:

- (1) Any person holding an embalmer's or a funeral director's license issued in another state or federal district may obtain a Kentucky embalmer's or a Kentucky funeral director's license if the board finds that the person, before or after obtaining a license in another state or federal district, has met the same or similar requirements for a license as set out in KRS 316.030 and pays to the board a fee equal to the license renewal fee.
- (2) The board may issue an annual courtesy card to a licensed funeral director or licensed embalmer from another state that has reciprocal laws with Kentucky upon application and payment by the funeral director or embalmer of a fee prescribed by the board in administrative regulations promulgated under KRS Chapter 13A. The application shall be approved by the board, at its discretion. A holder of a courtesy card shall not be permitted to open or operate a place of business for the purpose of conducting funerals or embalming bodies in Kentucky nor shall he or she be permitted to maintain an office in this state. ***The requirement in Section 1 of this Act that all Kentucky-licensed embalmers or funeral directors who practice in Kentucky shall practice from a funeral establishment that is licensed to operate under the provisions of this chapter shall not apply to the holder of a courtesy card.*** A violation of this section or any other section of this chapter shall be sufficient cause for the board to revoke or cancel the courtesy card of the violator and to pursue other remedies provided by this chapter.

Approved April 7, 2004