

*Sponsorship has changed since the bill was introduced

REFERENCE TITLE: funeral escorts; funeral board licensure

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2694

*Introduced by
Representatives Campbell: Andrade, Blanc, Bolding, Butler, Chávez, Cook,
Espinoza, Fernandez, Friese, Lawrence, Lieberman, Longdon, Meza, Pawlik,
Powers Hannley, Rodriguez, Sierra, Stringer, Teller, Terán, Toma, Tsosie,
Senator Mendez

AN ACT

AMENDING SECTION 28-776, ARIZONA REVISED STATUTES; AMENDING TITLE 28,
CHAPTER 9, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2040;
AMENDING SECTIONS 32-1301, 32-1307 AND 32-1309, ARIZONA REVISED STATUTES;
AMENDING TITLE 32, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1330.01; RELATING TO FUNERAL ESCORTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-776, Arizona Revised Statutes, is amended to
3 read:

4 28-776. Funeral and military procession right-of-way; funeral
5 and military escort vehicles; licensure; drivers;
6 definitions

7 A. Pedestrians and the operators of all vehicles, except emergency
8 vehicles, shall yield the right-of-way to each vehicle that is a part of a
9 funeral procession being led by a funeral escort vehicle or a military
10 procession being led by a military escort vehicle. The driver of the
11 funeral escort vehicle or military escort vehicle may direct the drivers
12 of other vehicles in the procession **OR ANOTHER VEHICLE THAT IS APPROACHING**
13 **AN INTERSECTION** to proceed through ~~any~~ **THE** intersection or to make turns
14 or other movements, and the other vehicles may continue to follow and make
15 the turns or other movements as are made by or as directed by the driver
16 of the funeral escort vehicle or military escort vehicle notwithstanding
17 any traffic control device prescribed by statute or local ordinance,
18 except that ~~a~~ **THE** driver of a vehicle in the funeral procession or
19 military procession shall not exceed the posted speed limit and shall
20 exercise reasonable and prudent care to avoid colliding with any other
21 vehicle or pedestrian on the roadway. Each vehicle in a funeral
22 procession or military procession shall have its headlights lighted.

23 B. ~~A driver of a funeral escort vehicle or military escort vehicle~~
24 ~~who is certified pursuant to subsection D of this section may direct and~~
25 ~~control the drivers of vehicles in a funeral procession or military~~
26 ~~procession and any other vehicle in or approaching any intersection to~~
27 ~~stop, proceed or make the turns or other movements as required without~~
28 ~~regard to any traffic control device prescribed by statute or local~~
29 ~~ordinance. Funeral escort vehicles or military escort vehicles may exceed~~
30 ~~the speed limit by fifteen miles per hour when overtaking processions to~~
31 ~~direct traffic at the next intersection.~~ A funeral escort vehicle or
32 military escort vehicle shall be equipped with **BOTH OF THE FOLLOWING:**

33 1. At least one **PERMANENT** lighted lamp exhibiting a red or red and
34 blue light or lens visible under normal atmospheric conditions from a
35 distance of five hundred feet to the front of the vehicle, **EXCEPT THAT IF**
36 **A NONPROFIT CORPORATION THAT PROVIDES MILITARY PROCESSIONS OPERATES THE**
37 **VEHICLE, THE LIGHTED LAMP MAY BE TEMPORARILY AFFIXED.** ~~and~~

38 2. An audible signal by bell, siren or exhaust whistle as required
39 under section 28-624.

40 C. The ~~sheriff in each county~~ **STATE BOARD OF FUNERAL DIRECTORS AND**
41 **EMBALMERS** shall ~~register~~ **LICENSE** funeral escort vehicles and military
42 escort vehicles and issue an identification sticker or plate that is
43 affixed to the vehicle in order to identify the vehicle as a funeral
44 escort vehicle or military escort vehicle. ~~When acting as a funeral~~
45 ~~escort or military escort, the driver of a properly equipped and~~

1 ~~registered funeral escort vehicle or military escort vehicle has all of~~
2 ~~the rights and privileges of a driver of an authorized emergency vehicle~~
3 ~~proceeding to an emergency call as provided under section 28-624.~~

4 D. ~~Within thirty days after receiving an application for approval,~~
5 The ~~sheriff in each county~~ STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS
6 shall approve or disapprove in writing all markings, emblems, seals and
7 other insignia on a funeral escort vehicle before being displayed. ~~The~~
8 ~~sheriff may not unreasonably withhold approval.~~ The ~~sheriff~~ STATE BOARD
9 shall ensure that the vehicle does not bear markings similar to the
10 vehicle markings used by a law enforcement agency of the federal or state
11 government or a political subdivision of this state or bear words,
12 emblems, seals or other insignia that could cause a reasonable person to
13 confuse the vehicle with a law enforcement vehicle. ~~Beginning October 1,~~
14 ~~2008,~~ The right and left sides of a funeral escort vehicle shall be
15 clearly AND PERMANENTLY marked with the words "funeral escort" in letters
16 that are at least five inches in height, except that if the funeral escort
17 vehicle is a motorcycle THAT IS USED BY A NONPROFIT CORPORATION, the
18 DRIVER SHALL WEAR A REFLECTIVE VEST WITH letters ~~shall be~~ THAT ARE at
19 least two inches in height ON THE VEST.

20 ~~E. The sheriff in each county may certify any person who holds at~~
21 ~~least a valid class A, B, C, D or M driver license issued by this state as~~
22 ~~a certified driver of a funeral escort vehicle or military escort vehicle~~
23 ~~if the person:~~

24 1. ~~Completes a training program in motor vehicle safety and traffic~~
25 ~~control safety as prescribed by the sheriff.~~

26 2. ~~Pays the fee that is prescribed by the sheriff for the program~~
27 ~~and that does not exceed the cost of the program.~~

28 E. A MILITARY ESCORT VEHICLE THAT IS USED BY A NONPROFIT
29 CORPORATION IN A MILITARY PROCESSION SHALL BE CLEARLY MARKED TO INDICATE
30 THAT THE VEHICLE IS A MILITARY ESCORT VEHICLE. THE MARKINGS DESCRIBED IN
31 THIS SUBSECTION MAY BE TEMPORARY.

32 F. THE STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS SHALL LICENSE
33 A PERSON AS A DRIVER OF A FUNERAL ESCORT VEHICLE OR A MILITARY ESCORT
34 VEHICLE PURSUANT TO SECTION 32-1330.01.

35 ~~F. G. Within thirty days after receiving an application for~~
36 ~~approval,~~ The ~~sheriff in each county~~ STATE BOARD OF FUNERAL DIRECTORS AND
37 EMBALMERS shall approve or disapprove in writing all uniforms, badges,
38 patches and insignias worn by a ~~certified~~ LICENSED driver of a funeral
39 escort vehicle before being displayed. ~~The sheriff may not unreasonably~~
40 ~~withhold approval.~~ ~~Beginning October 1, 2008,~~ The uniform shall contain
41 insignia that identifies the wearer as a funeral escort. The ~~sheriff~~
42 STATE BOARD shall ensure that a uniform, badge, patch or insignia does not
43 bear markings similar to the markings of a law enforcement agency of the
44 federal or state government or a political subdivision of this state or
45 bear the words "sheriff", "police", "deputy", ~~"marshall"~~, "MARSHAL",

1 "agent" or "officer" or any other word that could cause a reasonable
2 person to confuse a certified driver of a funeral escort vehicle with law
3 enforcement personnel.

4 ~~G. Each county sheriff shall recognize as valid in that county a
5 registered military escort vehicle or a certified driver of a military
6 escort vehicle, or both, if the registration or certification, or both,
7 occurs in another county in this state pursuant to this section.~~

8 H. A person:

9 1. Shall not receive any compensation for providing a military
10 procession.

11 2. May ~~only~~ provide a military procession **ONLY** if requested by a
12 United States military member or veteran or the family of a United States
13 military member or veteran.

14 I. For the purposes of this section:

15 1. "Funeral procession" means two or more vehicles accompanying the
16 body of a deceased person, including a funeral escort vehicle ~~registered~~
17 **THAT IS LICENSED** by the ~~sheriff~~ **STATE BOARD OF FUNERAL DIRECTORS AND**
18 **EMBALMERS**.

19 2. "Military procession" means two or more vehicles, including a
20 military escort vehicle, accompanying any of the following:

21 (a) The body of a deceased member of the United States military or
22 a deceased veteran of the United States military.

23 (b) A member of the United States military who is being deployed or
24 who is returning from deployment.

25 (c) A person who is being honored at a military event.

26 (d) A monument honoring United States military members or veterans
27 of the United States military that is being transported in this state.

28 Sec. 2. Title 28, chapter 9, article 2, Arizona Revised Statutes,
29 is amended by adding section 28-4040, to read:

30 28-4040. Funeral escort vehicles; military procession
31 vehicles; state board of funeral directors;
32 certificate holder

33 **A MOTOR VEHICLE LIABILITY INSURANCE POLICY FOR A FUNERAL ESCORT**
34 **BUSINESS OR FOR A NONPROFIT CORPORATION THAT PROVIDES MILITARY PROCESSIONS**
35 **AS DEFINED IN SECTION 28-776 SHALL LIST THE STATE BOARD OF FUNERAL**
36 **DIRECTORS AS THE CERTIFICATE HOLDER ON THE CERTIFICATE OF LIABILITY**
37 **INSURANCE.**

38 Sec. 3. Section 32-1301, Arizona Revised Statutes, is amended to
39 read:

40 32-1301. Definitions

41 In this chapter, unless the context otherwise requires:

42 1. "Accredited" means recognized or authorized by the American
43 board of funeral service education.

- 1 2. "Administrative costs and expenses" means the cost of copies,
2 transcripts, court reporter and witness fees, reimbursement for mileage
3 and office of administrative hearings costs.
- 4 3. "Alternative container" means any unfinished wood box or other
5 nonmetal receptacle or enclosure, without ornamentation or a fixed
6 interior lining, that is designed for the encasement of human remains.
- 7 4. "Authorizing agent" means a person who is legally entitled to
8 order the cremation, disinterment or embalming of human remains pursuant
9 to section 32-1365.02.
- 10 5. "Beneficiary" means a person whose future funeral arrangements
11 will be handled by a funeral establishment pursuant to a prearranged
12 funeral agreement.
- 13 6. "Board" means the state board of funeral directors and
14 embalmers.
- 15 7. "Business entity" includes any corporation, association, limited
16 liability company, professional corporation, partnership, limited
17 partnership, sole proprietorship, business trust, trust, joint venture and
18 other business entity.
- 19 8. "Casket" means a rigid container that is designed ~~for the~~
20 ~~permanent encasement of~~ TO PERMANENTLY ENCASE human remains and that is
21 usually constructed of wood, metal or synthetic substances and ornamented
22 and lined with fabric.
- 23 9. "Change of ownership" means a transfer of a controlling legal or
24 equitable interest in a licensed funeral establishment or crematory
25 resulting from a sale or merger. If the establishment or crematory is
26 operated by a business entity, any transfer of the ownership of ten
27 percent or more of the entity constitutes a change of ownership.
- 28 10. "Conviction" means a criminal adjudication or conviction by any
29 state or federal court of competent jurisdiction, including a judgment
30 based on a no contest plea, without regard to whether civil rights have
31 been restored.
- 32 11. "Cremated remains" means the remaining bone fragments after
33 cremation.
- 34 12. "Cremation" means the heating process that reduces human
35 remains to bone fragments by combustion and evaporation.
- 36 13. "Cremation container" means a leak and spill resistant, rigid,
37 combustible, closed receptacle into which human remains are placed before
38 cremation.
- 39 14. "Cremationist" means a person who operates a crematory retort,
40 who performs the actual cremation of human remains and who may be licensed
41 pursuant to article 6 of this chapter.
- 42 15. "Crematory" means a building or portion of a building that is
43 licensed pursuant to article 6 of this chapter and that houses a retort in
44 which only human remains are cremated.

1 16. "Disciplinary action" means AN action taken by the board to
2 revoke or suspend a license or registration, to impose probationary
3 requirements or civil penalties or to issue a letter of censure or
4 reprimand to any person who is subject to this chapter and who violates
5 any provision of this chapter or rules adopted by the board.

6 17. "Embalmer" means a person who is licensed pursuant to this
7 chapter and who is engaged in embalming.

8 18. "Embalmer's assistant" means a person who is registered
9 pursuant to this chapter and who is engaged in embalming without the
10 supervision of a licensed embalmer.

11 19. "Embalming" means the implementation of reconstructive
12 procedures and the process of disinfecting and preserving a dead human
13 body to retard organic decomposition by treating the body to reduce the
14 presence and growth of organisms.

15 20. "Financial institution" means a bank, savings and loan
16 association, trust company or credit union that is lawfully doing business
17 in this state and that is not affiliated with a funeral establishment.

18 21. "Fixed price prearranged funeral agreement funded by trust"
19 means any agreement or combination of agreements that establishes a fixed
20 price for funeral goods and services, that requires a funeral
21 establishment to provide those funeral goods and services at the price
22 levels in effect at the time of the execution of the agreement and that
23 requires the purchaser to convey all or a portion of the accrued interest
24 to the funeral establishment at the time that the funeral goods and
25 services are actually provided.

26 22. "Funded by insurance" means that monies for a prearranged
27 funeral agreement are paid directly to an insurance company licensed
28 pursuant to title 20 on behalf of the beneficiary of the agreement.

29 23. "Funeral directing" means arranging, directing or providing a
30 service in the disposition of dead human bodies for compensation.

31 24. "Funeral director" means a person who is licensed pursuant to
32 this chapter and who is engaged in funeral directing.

33 25. "Funeral establishment" means a business at a specific location
34 that is licensed pursuant to this chapter and that is devoted to the care,
35 storage or preparation for final disposition or transportation of dead
36 human bodies.

37 26. "Funeral goods and services" means any personal property or
38 services THAT ARE typically sold or provided in connection with the final
39 disposition of human remains, including caskets, alternative containers,
40 outer burial containers, cremation containers, transportation containers,
41 funeral clothing or accessories, monuments, grave markers, urns, embalming
42 services, funeral directing services and similar funeral or burial items.
43 Funeral goods and services do not include goods and services sold by
44 cemeteries.

1 27. "Good moral character" means that a person:

2 (a) Has not been convicted of a class 1 or 2 felony by a court of
3 competent jurisdiction.

4 (b) Has not, within five years of ~~application~~ APPLYING for
5 licensure or registration, been convicted of a felony or misdemeanor if
6 the offense has a reasonable relationship to the person's proposed area of
7 licensure or registration.

8 (c) Has not, within five years of ~~application~~ APPLYING for
9 licensure or registration, committed any act involving dishonesty, fraud,
10 misrepresentation, breach of fiduciary duty, gross negligence or
11 incompetence if the act has a reasonable relationship to the person's
12 proposed area of licensure or registration.

13 (d) Is not currently incarcerated in or on community supervision
14 after a period of imprisonment in a local, state or federal penal
15 institution or on criminal probation.

16 (e) Has not engaged in fraud or misrepresentation in connection
17 with an application for licensure or registration under this chapter or an
18 examination required for licensure or registration.

19 (f) Has not, within five years of ~~application~~ APPLYING for
20 licensure or registration, had a license, registration or endorsement
21 revoked or suspended by the board or by the funeral services licensing
22 authority of any other jurisdiction.

23 (g) Has not surrendered a license, registration or endorsement to
24 the board or the funeral licensing authority of any other jurisdiction in
25 lieu of disciplinary action.

26 (h) Has not practiced funeral directing or embalming without a
27 license in this state or any other jurisdiction that requires licensure to
28 perform these activities.

29 28. "Holding facility" means a designated area for the retention of
30 human remains.

31 29. "Human remains" means a lifeless human body or parts of a human
32 body that ~~permit~~ ALLOW a reasonable inference that death occurred.

33 30. "Intern" means a person who is licensed pursuant to this
34 chapter and who is engaged in embalming under the supervision of a
35 licensed embalmer.

36 31. "Intern trainee" means a person who intends to enter training
37 as an intern and who is temporarily employed by a funeral establishment.

38 32. "License" means a written authorization that is issued by the
39 board and that EITHER:

40 (a) Entitles a person to act as a funeral director, AN embalmer, ~~OR~~
41 AN intern OR A DRIVER OF A FUNERAL ESCORT VEHICLE OR MILITARY ESCORT
42 VEHICLE or to operate a funeral establishment or crematory in this state.

43 (b) ~~ALLOWS A FUNERAL ESCORT VEHICLE OR MILITARY ESCORT VEHICLE TO~~
44 OPERATE PURSUANT TO SECTION 28-776.

1 33. "Licensee" means a person to whom the board has issued a
2 license to act as a funeral director, embalmer or intern or to operate a
3 funeral establishment or crematory in this state.

4 34. "Manage" means:

5 (a) That a responsible funeral director exercises control and
6 oversight over all employees of a funeral establishment and over funeral
7 transactions, including the care of dead human bodies, funeral services
8 and activities and the documentation and retention of records.

9 (b) That a responsible cremationist exercises control and oversight
10 over all employees of a crematory and crematory operations.

11 35. "National board examination" means the test or tests given by
12 the conference of funeral service examining boards to determine the entry
13 level knowledge and skills of a person regarding funeral directing and
14 embalming.

15 36. "Net interest" means interest earned on a prearranged funeral
16 trust account ~~less~~ MINUS applicable taxes, reasonable and necessary
17 charges made by the financial institution and the annual service fee
18 ~~permitted~~ ALLOWED to be deducted by the funeral establishment according to
19 section 32-1391.06, subsection B.

20 37. "Outer burial container" means a container that is designed for
21 placement in a grave around a casket, including burial vaults, grave boxes
22 and grave liners.

23 38. "Owner" means a person who owns ten percent or more of a
24 business entity. Owner does not include shareholders of companies who
25 have a class of common equity stock listed or authorized to be listed on
26 the New York stock exchange or the American stock exchange or listed on
27 the NASDAQ stock market.

28 39. "Person legally responsible" means the person responsible for
29 burying a dead body as determined in section 36-831.

30 40. "Prearranged funeral agreement" means any agreement or
31 combination of agreements under which a payment is made before the death
32 of the intended beneficiary for funeral goods and services to be delivered
33 or performed after the death of the beneficiary.

34 41. "Prearranged funeral trust account" means a trust account that
35 is established at a financial institution and into which all monies paid
36 on behalf of a beneficiary pursuant to a prearranged funeral agreement are
37 deposited.

38 42. "Preparation" means washing, shaving, dressing or arranging
39 hair on, applying cosmetics to or positioning bodily features on a dead
40 human body and placing ~~a~~ THE dead human body in a casket.

41 43. "Processed cremated remains" means cremated remains after they
42 are pulverized and cleaned, leaving primarily small bone fragments.

43 44. "Provisionally accredited" means granted candidacy status by
44 the American board of funeral service education.

1 45. "Registration" means a written authorization that is issued by
2 the board and that entitles a person to act as an assistant funeral
3 director, an embalmer's assistant or a prearranged funeral salesperson in
4 this state.

5 46. "Responsible cremationist" means a licensed cremationist who
6 manages a crematory.

7 47. "Responsible funeral director" means a person who is licensed
8 pursuant to this chapter, who is engaged in funeral directing and who
9 manages and is accountable for a funeral establishment.

10 48. "Retort" means an enclosed space within which cremation takes
11 place.

12 49. "State equivalent examination" means the test or tests **THAT ARE**
13 provided by the conference of funeral service examining boards and offered
14 by the board to determine the entry level knowledge and skills of a person
15 regarding funeral directing and embalming.

16 50. "Supervise" or "supervision" means **THAT** a licensed embalmer has
17 responsibility for and is within sight and sound of a licensed intern who
18 is embalming a dead human body or a student who is assisting in embalming
19 a dead human body.

20 51. "Temporary container" means a receptacle that is usually made
21 of cardboard, rigid plastic or another similar material and that is
22 designed to hold processed cremated remains until they are placed in an
23 urn or another permanent container.

24 52. "Trust funds" means all monies **THAT ARE** deposited on behalf of
25 a beneficiary of a prearranged funeral agreement funded by trust and all
26 accrued net interest. Trust funds shall be considered an account kept in
27 suspense until distributed to the beneficiary, the funeral establishment
28 or the estate of the beneficiary in accordance with this article.

29 53. "Universal precautions" means the universal blood and fluid
30 precautions recommended by the centers for disease control of the United
31 States public health service to prevent the transmission of bloodborne and
32 bodily fluid-borne infectious diseases.

33 54. "Unprofessional conduct" includes the following acts, whether
34 occurring in this state or elsewhere:

35 (a) ~~Commission of~~ **COMMITTING** a class 1 or 2 felony.

36 (b) ~~Commission of~~ **COMMITTING** a felony or misdemeanor if the offense
37 has a reasonable relationship to funeral directing or embalming.
38 Conviction by any court of competent jurisdiction or a plea of no contest
39 is conclusive evidence of the commission.

40 (c) Providing false, misleading or deceptive information on an
41 application for licensure or registration pursuant to this chapter or on
42 an examination required for licensure or registration.

43 (d) Bribing or offering to bribe, directly or indirectly, a member
44 of the board to influence the member's actions in ~~the performance of~~
45 **PERFORMING** the member's duties.

1 (e) Wilfully interfering with an embalmer, funeral director or
2 cremationist who has lawful custody of a dead human body in ~~the~~
3 ~~performance of~~ PERFORMING the embalmer's, funeral director's or
4 cremationist's duty to embalm or prepare the body for burial,
5 transportation or cremation.

6 (f) Paying or causing money or other valuable consideration to be
7 paid to a person, other than an employee of a funeral establishment, to
8 secure business regulated pursuant to this chapter from or through the
9 person.

10 (g) Violating any law of this state or any rule adopted by the
11 department of health services that relates to ~~the~~ embalming or ~~preparation~~
12 ~~of~~ PREPARING dead human bodies.

13 (h) Certifying falsely to having embalmed or prepared a dead human
14 body that was embalmed by a person other than a licensed embalmer making
15 the certification or an intern under the supervision of a licensed
16 embalmer making the certification.

17 (i) Falsely advertising or labeling any service or merchandise with
18 the intention of deceiving the public.

19 (j) Shipping or delivering any merchandise or supplies that are not
20 the substantial equivalent of or superior in quality to merchandise or
21 supplies previously presented to the purchaser as samples.

22 (k) Committing any act involving dishonesty, fraud,
23 misrepresentation, breach of fiduciary duty, gross negligence or
24 incompetence if the act has a reasonable relationship to funeral directing
25 or embalming.

26 (l) Engaging in any conduct or practice that is reasonably related
27 to funeral directing or embalming and that is or may be harmful or
28 dangerous to the health, safety or welfare of the public.

29 (m) Within a period of five years, having a license, registration
30 or endorsement suspended or revoked by the board or by the funeral
31 services licensing authority of any other jurisdiction or surrendering a
32 license, registration or endorsement in lieu of disciplinary action.

33 55. "Urn" means a receptacle into which processed cremated remains
34 are placed for disposition.

35 Sec. 4. Section 32-1307, Arizona Revised Statutes, is amended to
36 read:

37 32-1307. Powers and duties of board

38 A. The board shall:

39 1. Administer and enforce this chapter and the rules adopted
40 pursuant to this chapter.

41 2. Adopt a seal.

42 3. Maintain a record of the name and the mailing or employer's
43 business address of each licensee and registrant.

44 4. Investigate alleged violations of this chapter and the rules
45 adopted pursuant to this chapter.

1 5. ~~Adopt rules~~ In accordance with title 41, chapter 6, ~~ADOPT~~
2 rules ~~adopted by the board shall~~ THAT include provisions relating to the
3 following:

4 (a) The keeping and disposition of records by licensees and
5 registrants.

6 (b) Standards of practice, professional conduct, competence and
7 consumer disclosure relating to owning or operating a funeral
8 establishment or crematory, funeral directing, embalming and cremation.

9 (c) ~~The prohibition of~~ PROHIBITING deceptive, misleading or
10 professionally negligent practices in advertising, offering or selling
11 funeral goods or services by funeral establishments, crematories,
12 licensees and registrants and agents of funeral establishments,
13 crematories, licensees and registrants. The rules shall specifically
14 prohibit misrepresentation of the legal requirements concerning ~~the~~
15 ~~preparation~~ PREPARING and ~~interment of~~ INTERRING dead human bodies.

16 (d) Standard price disclosure formats and price list requirements
17 and definitions to facilitate price comparisons by members of the public.

18 (e) Guidelines to enable members of the public to determine the
19 substantial equivalency of funeral goods available for sale to the public.

20 (f) Administrative and investigative procedures.

21 (g) ~~The efficient administration of~~ EFFICIENTLY ADMINISTERING the
22 board's affairs and ~~the enforcement of the provisions of~~ ENFORCING this
23 chapter.

24 (h) ~~The inspection of~~ INSPECTING all funeral establishments and
25 crematories at least once every five years.

26 (i) LICENSING FUNERAL ESCORT VEHICLES AND MILITARY ESCORT VEHICLES
27 PURSUANT TO SECTION 28-776.

28 (j) LICENSING DRIVERS OF FUNERAL ESCORT VEHICLES AND MILITARY
29 ESCORT VEHICLES PURSUANT TO SECTION 32-1330.01.

30 ~~(k)~~ (k) Any other matters the board deems necessary to carry out
31 ~~the provisions of~~ this chapter.

32 B. The board may:

33 1. Subject to title 41, chapter 4, article 4, employ investigative,
34 professional and clerical employees as it deems necessary to carry out
35 this chapter. Compensation of these employees shall be determined
36 pursuant to section 38-611.

37 2. Appoint citizen advisory committees to make recommendations to
38 the board concerning ~~enforcement~~ ENFORCING and ~~the administration of~~
39 ~~ADMINISTERING~~ this chapter.

40 3. In connection with investigations or administrative hearings,
41 issue subpoenas to compel the attendance of witnesses and the production
42 of books, papers, contracts, agreements and other documents or records in
43 any form, administer oaths and take testimony and evidence concerning all
44 matters within its jurisdiction. The board may pay the fees and expenses
45 of witnesses who appear in any proceeding before the board. If a person

1 refuses to obey a subpoena issued by the board, the board may invoke the
2 aid of any court in this state to require the attendance and testimony of
3 witnesses and the production of documentary evidence.

4 4. Contract with other state and federal agencies as it deems
5 necessary to carry out this chapter.

6 5. Charge reasonable fees ~~for the distribution of~~ TO DISTRIBUTE
7 materials that the board prints or has printed at its expense and for the
8 costs of mailing these materials.

9 6. Charge the reasonable costs of a fingerprint background check to
10 an applicant for licensure or registration.

11 Sec. 5. Section 32-1309, Arizona Revised Statutes, is amended to
12 read:

13 32-1309. Fees

14 A. The board shall establish and collect the following application
15 fees:

16 1. For a funeral director license, ~~eighty-five dollars~~ \$85.

17 2. For an embalmer license, ~~eighty-five dollars~~ \$85.

18 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
19 \$85.

20 4. For an intern license, ~~eighty-five dollars~~ \$85.

21 5. For a funeral director or embalmer license for a person who does
22 not reside in this state, ~~eighty-five dollars~~ \$85.

23 6. For a prearranged funeral salesperson registration, ~~eighty-five~~
24 ~~dollars~~ \$85.

25 7. For a funeral establishment license:

26 (a) For a new establishment, new owner or new location, ~~five~~
27 ~~hundred dollars~~ \$500.

28 (b) For a change of name, ~~one hundred seventy-five dollars~~ \$175.

29 8. For a prearranged funeral sales establishment endorsement, ~~one~~
30 ~~hundred eighty-five dollars~~ \$185.

31 9. For a crematory license:

32 (a) For a new crematory, new owner or new location, ~~one hundred~~
33 ~~dollars~~ \$100 per retort.

34 (b) For a change of name, ~~one hundred seventy-five dollars~~ \$175.

35 10. For a cremationist license, ~~eighty-five dollars~~ \$85.

36 B. The board shall establish and collect the following examination
37 fees:

38 1. For the funeral director state laws and rules examination,
39 ~~eighty dollars~~ \$80.

40 2. For the embalmer state laws and rules examination, ~~eighty~~
41 ~~dollars~~ \$80.

42 3. For the prearranged funeral salesperson state laws and rules
43 examination, ~~eighty dollars~~ \$80.

44 4. For the funeral service science section of the state equivalent
45 examination, ~~one hundred fifty dollars~~ \$150.

- 1 5. For the funeral service arts section of the state equivalent
2 examination, ~~one hundred fifty dollars~~ \$150.
- 3 C. The board shall establish and collect the following license and
4 registration issuance fees:
- 5 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
6 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
7 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
8 \$85.
9 4. For an intern license, ~~eighty-five dollars~~ \$85.
10 5. For a prearranged funeral salesperson registration, ~~eighty-five~~
11 ~~dollars~~ \$85.
12 6. For a cremationist license, ~~eighty-five dollars~~ \$85.
- 13 D. The board shall establish and collect the following renewal
14 fees:
- 15 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
16 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
17 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
18 \$85.
19 4. For an intern license, ~~eighty-five dollars~~ \$85.
20 5. For an assistant funeral director registration, ~~eighty-five~~
21 ~~dollars~~ \$85.
22 6. For a prearranged funeral salesperson registration, ~~eighty-five~~
23 ~~dollars~~ \$85.
24 7. For an establishment license, ~~four dollars~~ \$4 for each
25 disposition performed by the establishment during the immediately
26 preceding calendar year. For the purposes of this paragraph, a funeral
27 establishment performs a disposition each time the establishment files a
28 death certificate pursuant to section 36-325.
29 8. For a prearranged funeral sales establishment endorsement, ~~one~~
30 ~~hundred eighty-five dollars~~ \$185.
31 9. For a crematory license, ~~two hundred dollars~~ \$200 per retort.
32 10. For a cremationist license, ~~eighty-five dollars~~ \$85.
- 33 E. The board shall establish and collect the following fees:
- 34 1. For a duplicate license or registration, ~~twenty-five dollars~~
35 \$25.
36 2. For a reexamination:
37 (a) For a state laws and rules examination, ~~fifty dollars~~ \$50.
38 (b) For the funeral service science section or the funeral service
39 arts section of the state equivalent examination, ~~sixty-five dollars~~ \$65.
40 3. For late renewal of a licensee or registration, ~~thirty-five~~
41 ~~dollars~~ \$35.
42 4. For late renewal of an establishment license or endorsement,
43 ~~sixty dollars~~ \$60.
44 5. For inactive licensure or registration, ~~twenty-five dollars~~ \$25.
45 6. For reinstatement of an inactive license, ~~fifty dollars~~ \$50.

1 7. For reinstatement of an inactive registration, ~~one hundred~~
2 ~~thirty dollars~~ \$130.

3 8. For an interim funeral establishment permit, ~~twenty-five dollars~~
4 \$25.

5 9. For filing an annual trust report, a fee of not more than ~~two~~
6 ~~hundred dollars~~ \$200.

7 10. For filing a late or incomplete annual trust report, a penalty
8 of not more than ~~two hundred dollars~~ \$200.

9 F. The board may establish and collect a fee for intern trainees in
10 an amount to be determined by the board.

11 G. THE BOARD MAY ESTABLISH AND COLLECT A FEE FOR LICENSING FUNERAL
12 ESCORT VEHICLES, MILITARY ESCORT VEHICLES, DRIVERS OF FUNERAL ESCORT
13 VEHICLES AND DRIVERS OF MILITARY ESCORT VEHICLES IN AN AMOUNT TO BE
14 DETERMINED BY THE BOARD.

15 Sec. 6. Title 32, chapter 12, article 2, Arizona Revised Statutes,
16 is amended by adding section 32-1330.01, to read:

17 32-1330.01. Licensure; funeral escort vehicles; military
18 escort vehicles; drivers

19 A. THE BOARD SHALL LICENSE FUNERAL ESCORT VEHICLES, MILITARY ESCORT
20 VEHICLES, DRIVERS OF FUNERAL ESCORT VEHICLES AND DRIVERS OF MILITARY
21 ESCORT VEHICLES IN A MANNER AS PRESCRIBED BY THE BOARD BY RULE.

22 B. THE BOARD SHALL ISSUE A LICENSE TO A DRIVER OF A FUNERAL ESCORT
23 VEHICLE ONLY IF THE APPLICANT:

24 1. WORKS FOR A FUNERAL ESCORT BUSINESS.

25 2. MEETS THE OTHER REQUIREMENTS PRESCRIBED BY THE BOARD.

26 C. THE BOARD SHALL ISSUE A LICENSE TO A DRIVER OF A MILITARY ESCORT
27 VEHICLE ONLY IF THE APPLICANT:

28 1. IS AFFILIATED WITH A NONPROFIT CORPORATION THAT PROVIDES
29 MILITARY PROCESSIONS.

30 2. MEETS THE OTHER REQUIREMENTS PRESCRIBED BY THE BOARD.