

REFERENCE TITLE: **alkaline hydrolysis facilities; licensure**

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2179

Introduced by
Representatives Blanc: Rivero, Rodriguez

AN ACT

AMENDING SECTIONS 32-1301, 32-1307, 32-1309 AND 32-1334, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 12, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2.1; AMENDING SECTIONS 32-1365, 32-1366, 32-1372, 32-1373 AND 32-1399, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-1301, Arizona Revised Statutes, is amended to
3 read:
4 32-1301. Definitions
5 In this chapter, unless the context otherwise requires:
6 1. "Accredited" means recognized or authorized by the American
7 board of funeral service education.
8 2. "Administrative costs and expenses" means the cost of copies,
9 transcripts, court reporter and witness fees, reimbursement for mileage
10 and office of administrative hearings costs.
11 3. "ALKALINE HYDROLYSIS" MEANS A FORM OF FINAL DISPOSITION THAT
12 INCLUDES ALL OF THE FOLLOWING:
13 (a) REDUCING A DEAD HUMAN BODY TO ESSENTIAL ELEMENTS THROUGH A
14 WATER-BASED DISSOLUTION PROCESS USING ALKALINE CHEMICALS, HEAT, AGITATION
15 AND PRESSURE TO ACCELERATE NATURAL DECOMPOSITION.
16 (b) PROCESSING THE HYDROLYZED REMAINS AFTER THEY ARE REMOVED FROM
17 THE ALKALINE HYDROLYSIS VESSEL.
18 (c) PLACING THE PROCESSED REMAINS IN A HYDROLYZED REMAINS
19 CONTAINER.
20 (d) RELEASING THE HYDROLYZED REMAINS TO AN APPROPRIATE PARTY.
21 4. "ALKALINE HYDROLYSIS CONTAINER":
22 (a) MEANS A HYDROLYZABLE OR BIODEGRADABLE CLOSED CONTAINER OR POUCH
23 THAT IS RESISTANT TO LEAKAGE OF BODILY FLUIDS, THAT ENCASES THE BODY AND
24 INTO WHICH A DEAD HUMAN BODY IS PLACED BEFORE INSERTION INTO AN ALKALINE
25 HYDROLYSIS VESSEL.
26 (b) INCLUDES A HYDROLYZABLE OR BIODEGRADABLE ALTERNATIVE CONTAINER
27 OR CASKET.
28 5. "ALKALINE HYDROLYSIS FACILITY" MEANS A BUILDING OR STRUCTURE
29 CONTAINING ONE OR MORE ALKALINE HYDROLYSIS VESSELS FOR THE ALKALINE
30 HYDROLYSIS OF DEAD HUMAN BODIES.
31 6. "ALKALINE HYDROLYSIS OPERATOR" MEANS A PERSON WHO IS TRAINED TO
32 CARRY OUT THE PROCESS OF ALKALINE HYDROLYSIS OF A DEAD HUMAN BODY.
33 7. "ALKALINE HYDROLYSIS VESSEL" MEANS THE CONTAINER IN WHICH THE
34 ALKALINE HYDROLYSIS OF A DEAD HUMAN BODY IS PERFORMED.
35 ~~8.~~ 8. "Alternative container" means any unfinished wood box or
36 other nonmetal receptacle or enclosure, without ornamentation or a fixed
37 interior lining, that is designed for the encasement of human remains.
38 ~~9.~~ 9. "Authorizing agent" means a person who is legally entitled
39 to order the cremation, disinterment or embalming of human remains
40 pursuant to section 32-1365.02.
41 ~~10.~~ 10. "Beneficiary" means a person whose future funeral
42 arrangements will be handled by a funeral establishment pursuant to a
43 prearranged funeral agreement.
44 ~~11.~~ 11. "Board" means the state board of funeral directors and
45 embalmers.

1 ~~7.~~ 12. "Business entity" includes any corporation, association,
2 limited liability company, professional corporation, partnership, limited
3 partnership, sole proprietorship, business trust, trust, joint venture and
4 other business entity.
5 ~~8.~~ 13. "Casket" means a rigid container that is designed to
6 permanently encase human remains and that is usually constructed of wood,
7 metal or synthetic substances and ornamented and lined with fabric.
8 ~~9.~~ 14. "Change of ownership" means a transfer of a controlling
9 legal or equitable interest in a licensed funeral establishment or
10 crematory resulting from a sale or merger. If the establishment or
11 crematory is operated by a business entity, any transfer of the ownership
12 of ten percent or more of the entity constitutes a change of ownership.
13 ~~10.~~ 15. "Conviction" means a criminal adjudication or conviction
14 by any state or federal court of competent jurisdiction, including a
15 judgment based on a no contest plea, without regard to whether civil
16 rights have been restored.
17 ~~11.~~ 16. "Cremated remains" means the remaining bone fragments
18 after cremation.
19 ~~12.~~ 17. "Cremation" means the heating process that reduces human
20 remains to bone fragments by combustion and evaporation.
21 ~~13.~~ 18. "Cremation container" means a leak and spill resistant,
22 rigid, combustible, closed receptacle into which human remains are placed
23 before cremation.
24 ~~14.~~ 19. "Cremationist" means a person who operates a crematory
25 retort, who performs the actual cremation of human remains and who may be
26 licensed pursuant to article 6 of this chapter.
27 ~~15.~~ 20. "Crematory" means a building or portion of a building that
28 is licensed pursuant to article 6 of this chapter and that houses a retort
29 in which only human remains are cremated.
30 ~~16.~~ 21. "Disciplinary action" means an action taken by the board
31 to revoke or suspend a license or registration, to impose probationary
32 requirements or civil penalties or to issue a letter of censure or
33 reprimand to any person who is subject to this chapter and who violates
34 any provision of this chapter or rules adopted by the board.
35 ~~17.~~ 22. "Embalmer" means a person who is licensed pursuant to this
36 chapter and who is engaged in embalming.
37 ~~18.~~ 23. "Embalmer's assistant" means a person who is registered
38 pursuant to this chapter and who is engaged in embalming without the
39 supervision of a licensed embalmer.
40 ~~19.~~ 24. "Embalming" means the implementation of reconstructive
41 procedures and the process of disinfecting and preserving a dead human
42 body to retard organic decomposition by treating the body to reduce the
43 presence and growth of organisms.

1 ~~20.~~ 25. "Financial institution" means a bank, savings and loan
2 association, trust company or credit union that is lawfully doing business
3 in this state and that is not affiliated with a funeral establishment.

4 ~~21.~~ 26. "Fixed price prearranged funeral agreement funded by
5 trust" means any agreement or combination of agreements that establishes a
6 fixed price for funeral goods and services, that requires a funeral
7 establishment to provide those funeral goods and services at the price
8 levels in effect at the time of the execution of the agreement and that
9 requires the purchaser to convey all or a portion of the accrued interest
10 to the funeral establishment at the time that the funeral goods and
11 services are actually provided.

12 ~~22.~~ 27. "Funded by insurance" means that monies for a prearranged
13 funeral agreement are paid directly to an insurance company licensed
14 pursuant to title 20 on behalf of the beneficiary of the agreement.

15 ~~23.~~ 28. "Funeral directing" means arranging, directing or
16 providing a service in the disposition of dead human bodies for
17 compensation.

18 ~~24.~~ 29. "Funeral director" means a person who is licensed pursuant
19 to this chapter and who is engaged in funeral directing.

20 ~~25.~~ 30. "Funeral establishment" means a business at a specific
21 location that is licensed pursuant to this chapter and that is devoted to
22 the care, storage or preparation for final disposition or transportation
23 of dead human bodies.

24 ~~26.~~ 31. "Funeral goods and services" means any personal property
25 or services that are typically sold or provided in connection with the
26 final disposition of human remains, including caskets, alternative
27 containers, outer burial containers, cremation containers, transportation
28 containers, funeral clothing or accessories, monuments, grave markers,
29 urns, embalming services, funeral directing services and similar funeral
30 or burial items. Funeral goods and services do not include goods and
31 services sold by cemeteries.

32 ~~27.~~ 32. "Good moral character" means that a person:

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

35 (b) Has not, within five years of applying for licensure or
36 registration, been convicted of a felony or misdemeanor if the offense has
37 a reasonable relationship to the person's proposed area of licensure or
38 registration.

39 (c) Has not, within five years of applying for licensure or
40 registration, committed any act involving dishonesty, fraud,
41 misrepresentation, breach of fiduciary duty, gross negligence or
42 incompetence if the act has a reasonable relationship to the person's
43 proposed area of licensure or registration.

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

4 (e) Has not engaged in fraud or misrepresentation in connection
5 with an application for licensure or registration under this chapter or an
6 examination required for licensure or registration.

7 (f) Has not, within five years of applying for licensure or
8 registration, had a license, registration or endorsement revoked or
9 suspended by the board or by the funeral services licensing authority of
10 any other jurisdiction.

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

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

17 ~~28.~~ 33. "Holding facility" means a designated area for the
18 retention of human remains.

19 ~~29.~~ 34. "Human remains" means a lifeless human body or parts of a
20 human body that allow a reasonable inference that death occurred.

21 ~~30.~~ 35. "Intern" means a person who is licensed pursuant to this
22 chapter and who is engaged in either or both of the following:

23 (a) Embalming under the supervision of a licensed embalmer.

24 (b) Arranging and directing funerals under the supervision of a
25 licensed funeral director.

26 ~~31.~~ 36. "Intern trainee" means a person who intends to enter
27 training as an intern and who is temporarily employed by a funeral
28 establishment.

29 ~~32.~~ 37. "License" means a written authorization that is issued by
30 the board and that entitles a person to act as a funeral director,
31 embalmer or intern or to operate a funeral establishment, ~~or~~ crematory **OR**
32 **ALKALINE HYDROLYSIS FACILITY** in this state.

33 ~~33.~~ 38. "Licensee" means a person to whom the board has issued a
34 license to act as a funeral director, embalmer or intern or to operate a
35 funeral establishment, ~~or~~ crematory **OR ALKALINE HYDROLYSIS FACILITY** in
36 this state.

37 ~~34.~~ 39. "Manage" means:

38 (a) That a responsible funeral director exercises control and
39 oversight over all employees of a funeral establishment and over funeral
40 transactions, including the care of dead human bodies, funeral services
41 and activities and the documentation and retention of records.

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

1 ~~35.~~ 40. "National board examination" means the test or tests given
2 by the conference of funeral service examining boards to determine the
3 entry level knowledge and skills of a person regarding funeral directing
4 and embalming.
5 ~~36.~~ 41. "Net interest" means interest earned on a prearranged
6 funeral trust account minus applicable taxes, reasonable and necessary
7 charges made by the financial institution and the annual service fee
8 allowed to be deducted by the funeral establishment according to section
9 32-1391.06, subsection B.
10 ~~37.~~ 42. "Outer burial container" means a container that is
11 designed for placement in a grave around a casket, including burial
12 vaults, grave boxes and grave liners.
13 ~~38.~~ 43. "Owner" means a person who owns ten percent or more of a
14 business entity. Owner does not include shareholders of companies who
15 have a class of common equity stock listed or authorized to be listed on
16 the New York stock exchange or the American stock exchange or listed on
17 the NASDAQ stock market.
18 ~~39.~~ 44. "Person legally responsible" means the person responsible
19 for burying a dead body as determined in section 36-831.
20 ~~40.~~ 45. "Prearranged funeral agreement" means any agreement or
21 combination of agreements under which a payment is made before the death
22 of the intended beneficiary for funeral goods and services to be delivered
23 or performed after the death of the beneficiary.
24 ~~41.~~ 46. "Prearranged funeral trust account" means a trust account
25 that is established at a financial institution and into which all monies
26 paid on behalf of a beneficiary pursuant to a prearranged funeral
27 agreement are deposited.
28 ~~42.~~ 47. "Preparation" means washing, shaving, dressing or
29 arranging hair on, applying cosmetics to or positioning bodily features on
30 a dead human body and placing THE dead human body in a casket.
31 ~~43.~~ 48. "Processed cremated remains" means cremated remains after
32 they are pulverized and cleaned, leaving primarily small bone fragments.
33 ~~44.~~ 49. "Provisionally accredited" means granted candidacy status
34 by the American board of funeral service education.
35 ~~45.~~ 50. "Registration" means a written authorization that is
36 issued by the board and that entitles a person to act as an assistant
37 funeral director, an embalmer's assistant or a prearranged funeral
38 salesperson in this state.
39 ~~46.~~ 51. "Responsible cremationist" means a licensed cremationist
40 who manages a crematory.
41 ~~47.~~ 52. "Responsible funeral director" means a person who is
42 licensed pursuant to this chapter, who is engaged in funeral directing and
43 who manages and is accountable for a funeral establishment.
44 ~~48.~~ 53. "Retort" means an enclosed space within which cremation
45 takes place.

1 ~~49.~~ 54. "State equivalent examination" means the test or tests
2 that are provided by the conference of funeral service examining boards
3 and offered by the board to determine the entry level knowledge and skills
4 of a person regarding funeral directing and embalming.

5 ~~50.~~ 55. "Supervise" or "supervision" means that a licensed
6 embalmer has responsibility for and is within sight and sound of a
7 licensed intern who is embalming a dead human body or a student who is
8 assisting in embalming a dead human body.

9 ~~51.~~ 56. "Temporary container" means a receptacle that is usually
10 made of cardboard, rigid plastic or another similar material and that is
11 designed to hold processed cremated remains until they are placed in an
12 urn or another permanent container.

13 ~~52.~~ 57. "Trust funds" means all monies that are deposited on
14 behalf of a beneficiary of a prearranged funeral agreement funded by trust
15 and all accrued net interest. Trust funds shall be considered an account
16 kept in suspense until distributed to the beneficiary, the funeral
17 establishment or the estate of the beneficiary in accordance with this
18 article.

19 ~~53.~~ 58. "Universal precautions" means the universal blood and
20 fluid precautions recommended by the centers for disease control of the
21 United States public health service to prevent the transmission of
22 bloodborne and bodily fluid-borne infectious diseases.

23 ~~54.~~ 59. "Unprofessional conduct" includes the following acts,
24 whether occurring in this state or elsewhere:

25 (a) Committing a class 1 or 2 felony.

26 (b) Committing a felony or misdemeanor if the offense has a
27 reasonable relationship to funeral directing or embalming. Conviction by
28 any court of competent jurisdiction or a plea of no contest is conclusive
29 evidence of the commission.

30 (c) Providing false, misleading or deceptive information on an
31 application for licensure or registration pursuant to this chapter or on
32 an examination required for licensure or registration.

33 (d) Bribing or offering to bribe, directly or indirectly, a member
34 of the board to influence the member's actions in performing the member's
35 duties.

36 (e) Wilfully interfering with an embalmer, funeral director or
37 cremationist who has lawful custody of a dead human body in performing the
38 embalmer's, funeral director's or cremationist's duty to embalm or prepare
39 the body for burial, transportation or cremation.

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

1 (g) Violating any law of this state or any rule adopted by the
2 department of health services that relates to embalming or preparing dead
3 human bodies.

4 (h) Certifying falsely to having embalmed or prepared a dead human
5 body that was embalmed by a person other than a licensed embalmer making
6 the certification or an intern under the supervision of a licensed
7 embalmer making the certification.

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

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

13 (k) Committing any act involving dishonesty, fraud,
14 misrepresentation, breach of fiduciary duty, gross negligence or
15 incompetence if the act has a reasonable relationship to funeral directing
16 or embalming.

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

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

24 ~~55-~~ 60. "Urn" means a receptacle into which processed cremated
25 remains are placed for disposition.

26 Sec. 2. Section 32-1307, Arizona Revised Statutes, is amended to
27 read:

28 32-1307. Powers and duties of board

29 A. The board shall:

30 1. Administer and enforce this chapter and the rules adopted
31 pursuant to this chapter.

32 2. Adopt a seal.

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

35 4. Investigate alleged violations of this chapter and the rules
36 adopted pursuant to this chapter.

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

40 (a) The keeping and disposition of records by licensees and
41 registrants.

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

1 (c) ~~The prohibition of~~ PROHIBITING deceptive, misleading or
2 professionally negligent practices in advertising, offering or selling
3 funeral goods or services by funeral establishments, crematories,
4 licensees and registrants and agents of funeral establishments,
5 crematories, licensees and registrants. The rules shall specifically
6 prohibit misrepresentation of the legal requirements concerning ~~the~~
7 ~~preparation~~ PREPARING and ~~interment of~~ INTERRING dead human bodies.

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

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

12 (f) Administrative and investigative procedures.

13 (g) ~~The efficient administration of~~ EFFICIENTLY ADMINISTERING the
14 board's affairs and ~~the enforcement of the provisions of~~ ENFORCING this
15 chapter.

16 (h) ~~The inspection of~~ INSPECTING all funeral establishments, ~~and~~
17 crematories AND ALKALINE HYDROLYSIS FACILITIES at least ~~once every five~~
18 ~~years~~ TWICE A YEAR.

19 (i) Any other matters the board deems necessary to carry out ~~the~~
20 ~~provisions of~~ this chapter.

21 B. The board may:

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

26 2. Appoint citizen advisory committees to make recommendations to
27 the board concerning ~~enforcement~~ ENFORCING and ~~the administration of~~
28 ADMINISTERING this chapter.

29 3. In connection with investigations or administrative hearings,
30 issue subpoenas to compel the attendance of witnesses and the production
31 of books, papers, contracts, agreements and other documents or records in
32 any form, administer oaths and take testimony and evidence concerning all
33 matters within its jurisdiction. The board may pay the fees and expenses
34 of witnesses who appear in any proceeding before the board. If a person
35 refuses to obey a subpoena issued by the board, the board may invoke the
36 aid of any court in this state to require the attendance and testimony of
37 witnesses and the production of documentary evidence.

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

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

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

1 Sec. 3. Section 32-1309, Arizona Revised Statutes, is amended to
2 read:

3 32-1309. Fees

4 A. The board shall establish and collect the following application
5 fees:

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

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

8 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
9 \$85.

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

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

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

15 7. For a funeral establishment license:

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

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

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

21 9. For a crematory license:

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

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

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

26 11. FOR AN ALKALINE HYDROLYSIS FACILITY LICENSE, A FEE IN AN AMOUNT
27 TO BE DETERMINED BY THE BOARD.

28 12. FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE, A FEE IN AN AMOUNT
29 TO BE DETERMINED BY THE BOARD.

30 13. FOR AN ALKALINE HYDROLYSIS FACILITY INTERIM PERMIT, AN AMOUNT
31 TO BE DETERMINED BY THE BOARD.

32 14. FOR AN ALKALINE HYDROLYSIS FACILITY INTERIM PERMIT EXTENSION,
33 AN AMOUNT TO BE DETERMINED BY THE BOARD.

34 B. The board shall establish and collect the following examination
35 fees:

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

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

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

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

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

1 C. The board shall establish and collect the following license and
2 registration issuance fees:

- 3 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
- 4 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
- 5 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
6 \$85.
- 7 4. For an intern license, ~~eighty-five dollars~~ \$85.
- 8 5. For a prearranged funeral salesperson registration, ~~eighty-five~~
9 ~~dollars~~ \$85.
- 10 6. For a cremationist license, ~~eighty-five dollars~~ \$85.
- 11 7. FOR AN ALKALINE HYDROLYSIS FACILITY LICENSE, A FEE IN AN AMOUNT
12 TO BE DETERMINED BY THE BOARD.
- 13 8. FOR AN ALKALINE HYDROLYSIS OPERATOR, A FEE IN AN AMOUNT TO BE
14 DETERMINED BY THE BOARD.

15 D. The board shall establish and collect the following renewal
16 fees:

- 17 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
- 18 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
- 19 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
20 \$85.
- 21 4. For an intern license, ~~eighty-five dollars~~ \$85.
- 22 5. For an assistant funeral director registration, ~~eighty-five~~
23 ~~dollars~~ \$85.
- 24 6. For a prearranged funeral salesperson registration, ~~eighty-five~~
25 ~~dollars~~ \$85.
- 26 7. For an establishment license, ~~four dollars~~ \$4 for each
27 disposition performed by the establishment during the immediately
28 preceding calendar year. For the purposes of this paragraph, a funeral
29 establishment performs a disposition each time the establishment files a
30 death certificate pursuant to section 36-325.
- 31 8. For a prearranged funeral sales establishment endorsement, ~~one~~
32 ~~hundred eighty-five dollars~~ \$185.
- 33 9. For a crematory license, ~~two hundred dollars~~ \$200 per retort.
- 34 10. For a cremationist license, ~~eighty-five dollars~~ \$85.
- 35 11. FOR AN ALKALINE HYDROLYSIS FACILITY LICENSE, A FEE IN AN AMOUNT
36 TO BE DETERMINED BY THE BOARD.
- 37 12. FOR AN ALKALINE HYDROLYSIS OPERATOR, A FEE IN AN AMOUNT TO BE
38 DETERMINED BY THE BOARD.

39 E. The board shall establish and collect the following fees:

- 40 1. For a duplicate license or registration, ~~twenty-five dollars~~
41 \$25.
- 42 2. For a reexamination:
 - 43 (a) For a state laws and rules examination, ~~fifty dollars~~ \$50.
 - 44 (b) For the funeral service science section or the funeral service
45 arts section of the state equivalent examination, ~~sixty-five dollars~~ \$65.

- 1 3. For late renewal of a licensee or registration, ~~thirty-five~~
2 ~~dollars~~ \$35.
- 3 4. For late renewal of an establishment license or endorsement,
4 ~~sixty dollars~~ \$60.
- 5 5. For inactive licensure or registration, ~~twenty-five dollars~~ \$25.
- 6 6. For reinstatement of an inactive license, ~~fifty dollars~~ \$50.
- 7 7. For reinstatement of an inactive registration, ~~one hundred~~
8 ~~thirty dollars~~ \$130.
- 9 8. For an interim funeral establishment permit, ~~twenty-five dollars~~
10 \$25.
- 11 9. For filing an annual trust report, a fee of not more than ~~two~~
12 ~~hundred dollars~~ \$200.
- 13 10. For filing a late or incomplete annual trust report, a penalty
14 of not more than ~~two hundred dollars~~ \$200.
- 15 11. FOR AN ALKALINE HYDROLYSIS FACILITY INTERIM PERMIT, AN AMOUNT
16 TO BE DETERMINED BY THE BOARD.
- 17 12. FOR AN ALKALINE HYDROLYSIS FACILITY INTERIM PERMIT EXTENSION,
18 AN AMOUNT TO BE DETERMINED BY THE BOARD.
- 19 F. The board may establish and collect a fee for intern trainees in
20 an amount to be determined by the board.
- 21 Sec. 4. Section 32-1334, Arizona Revised Statutes, is amended to
22 read:
- 23 32-1334. Inactive status
- 24 A. A licensed embalmer, funeral director, ~~or~~ cremationist ~~OR~~
25 ~~ALKALINE HYDROLYSIS OPERATOR~~ who retires from practicing embalming, ~~or~~
26 funeral directing, ~~or cremating~~ ~~CREMATION OR ALKALINE HYDROLYSIS AND~~ who
27 is not currently practicing embalming, ~~or~~ funeral directing, ~~CREMATION OR~~
28 ~~ALKALINE HYDROLYSIS~~ in this state may request that the board place the
29 person's license on inactive status. The person shall submit the request
30 on a form prescribed by the board and shall pay the applicable fee
31 pursuant to section 32-1309.
- 32 B. A person who holds an inactive license shall not practice
33 embalming, funeral directing, ~~or~~ cremation ~~OR ALKALINE HYDROLYSIS~~ in this
34 state.
- 35 C. A person who holds an inactive license may request that the
36 board reactivate the person's license. If an inactive licensee desires to
37 reactivate a license, the inactive licensee shall submit a completed
38 application on a form prescribed by the board, the applicable fee pursuant
39 to section 32-1309, a completed fingerprint card and the prescribed
40 fingerprint background check fee. The person shall demonstrate that ~~he~~
41 ~~THE PERSON~~ is of good moral character and shall pass the applicable state
42 laws and rules examination.

1 Sec. 5. Title 32, chapter 12, Arizona Revised Statutes, is amended
2 by adding article 2.1, to read:

3 ARTICLE 2.1. ALKALINE HYDROLYSIS

4 32-1341. Alkaline hydrolysis facility; license required

5 A PERSON MAY NOT ADVERTISE OR OPERATE AN ALKALINE HYDROLYSIS
6 FACILITY WITHOUT FIRST OBTAINING AN ALKALINE HYDROLYSIS FACILITY LICENSE
7 ISSUED BY THE BOARD.

8 32-1342. Alkaline hydrolysis facilities; requirements

9 A. AN ALKALINE HYDROLYSIS FACILITY LICENSED UNDER THIS ARTICLE MUST
10 HAVE ALL OF THE FOLLOWING:

11 1. A BUILDING OR STRUCTURE THAT COMPLIES WITH APPLICABLE LOCAL AND
12 STATE BUILDING CODES, ZONING LAWS AND ORDINANCES AND WASTEWATER MANAGEMENT
13 AND ENVIRONMENTAL STANDARDS, CONTAINING ONE OR MORE ALKALINE HYDROLYSIS
14 VESSELS FOR THE ALKALINE HYDROLYSIS OF DEAD HUMAN BODIES.

15 2. A METHOD THAT IS APPROVED BY THE BOARD TO DRY THE HYDROLYZED
16 REMAINS AND THAT OCCURS WITHIN THE LICENSED FACILITY.

17 3. A MEANS APPROVED BY THE BOARD FOR REFRIGERATING DEAD HUMAN
18 BODIES AWAITING ALKALINE HYDROLYSIS.

19 4. AN APPROPRIATE REFRIGERATED HOLDING FACILITY FOR DEAD HUMAN
20 BODIES AWAITING ALKALINE HYDROLYSIS THAT MAINTAINS DEAD HUMAN BODIES AT OR
21 BELOW THIRTY-EIGHT DEGREES FAHRENHEIT.

22 B. AN ALKALINE HYDROLYSIS FACILITY:

23 1. SHALL EMPLOY A LICENSED ALKALINE HYDROLYSIS OPERATOR TO CARRY
24 OUT THE PROCESS OF ALKALINE HYDROLYSIS OF A DEAD HUMAN BODY.

25 2. SHALL PROVIDE PROPER PROCEDURES FOR ALL PERSONNEL.

26 3. IS STRICTLY ACCOUNTABLE FOR COMPLIANCE WITH THIS CHAPTER AND
27 OTHER APPLICABLE STATE AND FEDERAL LAWS RELATING TO OCCUPATIONAL AND
28 WORKPLACE HEALTH AND SAFETY.

29 32-1343. Application; qualifications for alkaline hydrolysis
30 operator licensure

31 A. AN APPLICANT FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE SHALL
32 SUBMIT A COMPLETED APPLICATION ON A FORM PRESCRIBED BY THE BOARD. THE
33 APPLICATION SHALL BE SUBSCRIBED UNDER OATH AND SHALL BE ACCOMPANIED BY THE
34 APPLICABLE FEE PURSUANT TO SECTION 32-1309 AND ANY ADDITIONAL INFORMATION
35 THAT THE BOARD DEEMS NECESSARY.

36 B. AN APPLICANT FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE SHALL
37 BE OF GOOD MORAL CHARACTER AND SHALL SUBMIT A COMPLETED FINGERPRINT CARD
38 AND THE PRESCRIBED FINGERPRINT RECORDS CHECK FEE TO THE BOARD TO ENABLE
39 THE BOARD OR THE DEPARTMENT OF PUBLIC SAFETY TO CONDUCT A CRIMINAL RECORDS
40 CHECK.

41 C. AN APPLICANT FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE SHALL
42 MEET THE EDUCATIONAL REQUIREMENTS AS PRESCRIBED BY THE BOARD IN RULE.

43 D. IF THE BOARD FINDS THAT THE APPLICANT MEETS THE CRITERIA FOR AN
44 ALKALINE HYDROLYSIS OPERATOR LICENSE UNDER THIS SECTION AND UNDER RULES

1 ADOPTED BY THE BOARD, THE BOARD SHALL ISSUE AN ALKALINE HYDROLYSIS
2 OPERATOR LICENSE.

3 32-1344. Renewal of alkaline hydrolysis operator licenses

4 A. EXCEPT AS PROVIDED IN SECTION 32-4301, AN ALKALINE HYDROLYSIS
5 OPERATOR LICENSE ISSUED PURSUANT TO THIS ARTICLE EXPIRES ON AUGUST 1 OF
6 EACH YEAR.

7 B. A LICENSED ALKALINE HYDROLYSIS OPERATOR SHALL SUBMIT A RENEWAL
8 APPLICATION AND THE APPLICABLE RENEWAL FEE PURSUANT TO SECTION 32-1309 ON
9 OR BEFORE JULY 1 OF EACH YEAR. A LICENSE RENEWAL FEE IS NONREFUNDABLE.

10 C. A LICENSED ALKALINE HYDROLYSIS OPERATOR THAT SUBMITS A RENEWAL
11 APPLICATION AND THE APPLICABLE RENEWAL FEE AFTER JULY 1 BUT BEFORE AUGUST
12 1 SHALL PAY A LATE FEE PURSUANT TO SECTION 32-1309 IN ADDITION TO THE
13 RENEWAL FEE.

14 D. A LICENSED ALKALINE HYDROLYSIS OPERATOR THAT FAILS TO SUBMIT A
15 RENEWAL APPLICATION AND THE APPLICABLE FEE ON OR BEFORE AUGUST 1 SHALL
16 APPLY FOR A NEW LICENSE PURSUANT TO THIS ARTICLE.

17 32-1345. Licensure requirements; application

18 A. AN APPLICATION FOR AN ALKALINE HYDROLYSIS FACILITY SHALL BE IN A
19 FORM PRESCRIBED BY THE BOARD. IF THE APPLICANT IS A BUSINESS ENTITY, THE
20 ENTITY SHALL DIRECT A NATURAL PERSON WHO IS AN OWNER OF THE ENTITY TO
21 SUBMIT ITS APPLICATION. THE APPLICATION SHALL BE SUBSCRIBED UNDER OATH
22 AND SHALL BE ACCOMPANIED BY THE APPLICABLE FEE PURSUANT TO SECTION 32-1309
23 AND ANY ADDITIONAL INFORMATION THAT THE BOARD DEEMS NECESSARY. A BUSINESS
24 ENTITY THAT APPLIES FOR A LICENSE PURSUANT TO THIS ARTICLE SHALL SUBMIT TO
25 THE BOARD WITH ITS APPLICATION FOR LICENSURE A COPY OF ITS PARTNERSHIP
26 AGREEMENT, ITS ARTICLES OF INCORPORATION OR ORGANIZATION OR ANY OTHER
27 ORGANIZATIONAL DOCUMENTS REQUIRED TO BE FILED WITH THE CORPORATION
28 COMMISSION.

29 B. AN INDIVIDUAL WHO APPLIES FOR AN ALKALINE HYDROLYSIS FACILITY
30 LICENSE PURSUANT TO THIS ARTICLE, OR IF THE APPLICANT IS A BUSINESS
31 ENTITY, THE OWNERS, PARTNERS, OFFICERS, DIRECTORS AND TRUST BENEFICIARIES
32 OF THE ENTITY, SHALL:

33 1. BE OF GOOD MORAL CHARACTER.

34 2. SUBMIT A COMPLETED FINGERPRINT CARD, CRIMINAL HISTORY BACKGROUND
35 INFORMATION AND A FINGERPRINT BACKGROUND CHECK FEE TO THE BOARD.

36 C. THE BOARD OR THE BOARD'S DESIGNEE SHALL INSPECT THE PREMISES OF
37 AN ALKALINE HYDROLYSIS FACILITY AND INVESTIGATE THE CHARACTER AND OTHER
38 QUALIFICATIONS OF ALL APPLICANTS FOR LICENSURE PURSUANT TO THIS ARTICLE TO
39 DETERMINE WHETHER THE ALKALINE HYDROLYSIS FACILITY AND THE APPLICANTS ARE
40 IN COMPLIANCE WITH THE REQUIREMENTS OF THIS ARTICLE AND RULES ADOPTED BY
41 THE BOARD.

42 D. IF THE BOARD FINDS THAT THE APPLICANT MEETS THE CRITERIA FOR
43 LICENSURE UNDER THIS ARTICLE AND RULES ADOPTED BY THE BOARD, THE BOARD
44 SHALL ISSUE AN ALKALINE HYDROLYSIS FACILITY LICENSE.

1 32-1346. Renewal application; fee

2 A. EXCEPT AS PROVIDED IN SECTION 32-4301, AN ALKALINE HYDROLYSIS
3 FACILITY LICENSE ISSUED PURSUANT TO THIS ARTICLE EXPIRES ON AUGUST 1 OF
4 EACH YEAR.

5 B. A LICENSED ALKALINE HYDROLYSIS FACILITY SHALL SUBMIT A RENEWAL
6 APPLICATION AND THE APPLICABLE RENEWAL FEE PURSUANT TO SECTION 32-1309 ON
7 OR BEFORE JULY 1 OF EACH YEAR. A LICENSE RENEWAL FEE IS NONREFUNDABLE.

8 C. A LICENSED ALKALINE HYDROLYSIS FACILITY THAT SUBMITS A RENEWAL
9 APPLICATION AND THE APPLICABLE RENEWAL FEE AFTER JULY 1 BUT BEFORE
10 AUGUST 1 SHALL PAY A LATE FEE PURSUANT TO SECTION 32-1309 IN ADDITION TO
11 THE RENEWAL FEE.

12 D. A LICENSED ALKALINE HYDROLYSIS FACILITY THAT FAILS TO SUBMIT A
13 RENEWAL APPLICATION AND THE APPLICABLE FEE ON OR BEFORE AUGUST 1 SHALL
14 APPLY FOR A NEW LICENSE PURSUANT TO THIS ARTICLE.

15 32-1347. Display of license

16 AN ALKALINE HYDROLYSIS FACILITY SHALL DISPLAY ITS LICENSE IN A
17 LOCATION THAT ENABLES ANY MEMBER OF THE PUBLIC WHO ENTERS THE ALKALINE
18 HYDROLYSIS FACILITY TO OBSERVE AND READ THE LICENSE.

19 32-1348. Nontransferability; interim permits; confidentiality;
20 definition

21 A. AN ALKALINE HYDROLYSIS FACILITY LICENSE ISSUED BY THE BOARD IS
22 NOT TRANSFERABLE OR SUBJECT TO SALE OR ASSIGNMENT, WHETHER BY A VOLUNTARY
23 OR INVOLUNTARY PROCESS.

24 B. IF A CHANGE OF OWNERSHIP OF AN ALKALINE HYDROLYSIS FACILITY
25 OCCURS, THE LICENSEE SHALL NOTIFY THE BOARD IN WRITING AND SHALL SURRENDER
26 THE LICENSE TO THE BOARD WITHIN TWENTY DAYS AFTER THE CHANGE OF OWNERSHIP.
27 THE NEW OWNER SHALL ALSO NOTIFY THE BOARD IN WRITING WITHIN TWENTY DAYS
28 AFTER THE CHANGE OF OWNERSHIP AND SHALL SUBMIT AN APPLICATION FOR AN
29 ALKALINE HYDROLYSIS FACILITY LICENSE TO THE BOARD PURSUANT TO SECTION
30 32-1345.

31 C. THE BOARD SHALL ISSUE AN INTERIM PERMIT TO THE NEW OWNER OF AN
32 ALKALINE HYDROLYSIS FACILITY TO ALLOW THE NEW OWNER TO CONTINUE OPERATING
33 THE ALKALINE HYDROLYSIS FACILITY DURING THE PERIOD THAT THE NEW OWNER'S
34 LICENSE APPLICATION IS PENDING IF THE FOLLOWING CONDITIONS ARE MET:

35 1. THE NEW OWNER NOTIFIES THE BOARD OF THE CHANGE OF OWNERSHIP AND
36 SUBMITS AN APPLICATION FOR AN INTERIM PERMIT AND THE APPLICABLE FEE
37 PURSUANT TO SECTION 32-1309 AT LEAST THREE DAYS, EXCLUDING SATURDAYS,
38 SUNDAYS AND HOLIDAYS, AFTER THE CHANGE TAKES PLACE. NOTICE SHALL BE GIVEN
39 DURING REGULAR BUSINESS HOURS.

40 2. THE ALKALINE HYDROLYSIS FACILITY CONTINUES TO MEET THE
41 REQUIREMENTS OF SECTION 32-1342.

42 D. AN INTERIM PERMIT ISSUED BY THE BOARD PURSUANT TO THIS SECTION
43 SHALL BE FOR NOT MORE THAN FORTY-FIVE DAYS AND MAY NOT BE EXTENDED EXCEPT
44 AS PROVIDED IN SUBSECTION E OF THIS SECTION. AN INTERIM PERMIT IS A
45 CONDITIONAL PERMIT AND AUTHORIZES THE HOLDER TO OPERATE AN ALKALINE

1 HYDROLYSIS FACILITY AS WOULD BE ALLOWED UNDER AN ALKALINE HYDROLYSIS
2 FACILITY LICENSE ISSUED PURSUANT TO THIS ARTICLE. THE HOLDER OF AN
3 INTERIM PERMIT IS SUBJECT TO THE LICENSING RULES AND DISCIPLINARY
4 PROCEEDINGS PRESCRIBED IN THIS CHAPTER AND IN RULES ADOPTED PURSUANT TO
5 THIS ARTICLE.

6 E. NOTWITHSTANDING SUBSECTION D OF THIS SECTION, FOR GOOD CAUSE
7 SHOWN, THE BOARD MAY EXTEND AN INTERIM PERMIT FOR NOT MORE THAN FORTY-FIVE
8 DAYS.

9 F. UNTIL AN INTERIM PERMIT IS ISSUED, THE BOARD SHALL KEEP
10 CONFIDENTIAL ALL NOTICES FILED WITH THE BOARD BY THE PROSPECTIVE NEW OWNER
11 OF AN ALKALINE HYDROLYSIS FACILITY PURSUANT TO THIS SECTION.

12 G. FOR THE PURPOSES OF THIS SECTION, "REGULAR BUSINESS HOURS" MEANS
13 BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M. ON ANY DAY OF THE WEEK OTHER
14 THAN SATURDAY, SUNDAY OR ANY OTHER LEGAL HOLIDAY OR A DAY ON WHICH THE
15 BOARD IS AUTHORIZED OR OBLIGATED BY LAW OR EXECUTIVE ORDER TO CLOSE.

16 32-1349. Change of name or location

17 A. THE OWNER OF A LICENSED ALKALINE HYDROLYSIS FACILITY WHO DESIRES
18 TO CHANGE THE NAME OF THE ALKALINE HYDROLYSIS FACILITY SHALL SUBMIT AN
19 APPLICATION ON A FORM PRESCRIBED BY THE BOARD. THE APPLICATION SHALL BE
20 SUBSCRIBED UNDER OATH AND SHALL BE ACCOMPANIED BY THE APPLICABLE FEE.

21 B. THE OWNER OF A LICENSED ALKALINE HYDROLYSIS FACILITY SHALL
22 SUBMIT AN APPLICATION ON A FORM PRESCRIBED BY THE BOARD TO CHANGE THE
23 LOCATION OF THE ALKALINE HYDROLYSIS FACILITY. THE APPLICATION SHALL BE
24 SUBSCRIBED UNDER OATH AND SHALL BE ACCOMPANIED BY THE APPLICABLE FEE.
25 BEFORE THE BOARD APPROVES A REQUEST FOR A CHANGE OF LOCATION PURSUANT TO
26 THIS SECTION, THE OWNER SHALL DEMONSTRATE THAT THE NEW LOCATION MEETS THE
27 REQUIREMENTS OF THIS ARTICLE.

28 Sec. 6. Section 32-1365, Arizona Revised Statutes, is amended to
29 read:

30 32-1365. Violations; classification

31 A. It is unlawful:

32 1. For an embalmer or embalmer's assistant who knows or should know
33 of a fact that is sufficient to raise suspicion of a crime related to the
34 cause of death or a crime against a dead human body to embalm a dead human
35 body without the permission of the county medical examiner or any other
36 proper official in whose jurisdiction the embalming is to be performed.

37 2. To disinter a dead human body for removal to any location other
38 than the original cemetery of burial except under the direction of a
39 licensed funeral director.

40 3. To use, for burial purposes, a casket previously used as a
41 receptacle for the burial or other disposition of a dead human body.

42 4. To sell a casket that has been used for rental purposes unless
43 fully disclosed in writing to the purchaser and at least the pillow and
44 the mattress have been replaced.

1 5. For a funeral director or embalmer, or an agent of a funeral
2 director or embalmer, after a death or while a death is impending, to
3 knowingly pay, offer to pay or cause to be paid, directly or indirectly, a
4 sum of money or any other valuable consideration for securing business
5 relating to the death. This paragraph does not prohibit the payment of
6 commissions to salespersons and funeral directors who are employed by a
7 funeral establishment.

8 6. To knowingly pay, offer to pay or cause to be paid any
9 commission, bonus, rebate or other consideration to a funeral director or
10 embalmer, or to an agent or employee of a funeral director or embalmer, as
11 an inducement to cause a dead human body to be unlawfully disposed of in a
12 crematory or cemetery or to recommend the unlawful disposition of a dead
13 human body in a crematory or cemetery.

14 7. For any funeral establishment or funeral director to advertise
15 under any name that tends to mislead the public or that sufficiently
16 resembles the professional or business name of another licensed funeral
17 director or establishment as to cause confusion or misunderstanding.

18 8. For a funeral director or embalmer or an agent of a funeral
19 director or embalmer responsible for directing the lawful disposition of a
20 dead human body to hold a direct pecuniary or proprietary interest in a
21 procurement organization as defined in section 36-841. This paragraph
22 does not preclude reasonable payments to a funeral establishment or a
23 licensee for the preparation, transportation, preservation, storage and
24 delivery of a dead human body to a procurement organization as defined in
25 section 36-841.

26 9. For a funeral establishment owner or operator to influence
27 employees of the funeral establishment to direct human remains to a
28 procurement organization in which the owner or operator of the funeral
29 establishment has a direct pecuniary or proprietary interest.

30 10. For a procurement organization and a funeral establishment to
31 operate on the same premises.

32 11. FOR A PERSON WHO IS LICENSED OR REGISTERED PURSUANT TO THIS
33 CHAPTER TO PLACE HUMAN REMAINS OF ONE PERSON, WHETHER INSIDE OR OUTSIDE OF
34 A CONTAINER, INCLUDING A BODY BAG, CASKET, ALTERNATIVE CONTAINER OR
35 ALKALINE HYDROLYSIS VESSEL, IN A LOCATION THAT IS ON TOP OF HUMAN REMAINS
36 OF ANOTHER PERSON.

37 B. Unless another penalty is specifically provided, a person who
38 intentionally and knowingly violates any provision of this chapter is
39 guilty of a class 2 misdemeanor.

40 Sec. 7. Section 32-1366, Arizona Revised Statutes, is amended to
41 read:

42 32-1366. Grounds for disciplinary action

43 A. After a formal hearing, the board may deny or refuse to renew a
44 license or registration or may take disciplinary action against any
45 embalmer, intern, funeral director or other person licensed or registered

1 pursuant to article 2 OR 2.1 of this chapter for any of the following
2 reasons:

- 3 1. Commission of an act of unprofessional conduct.
- 4 2. Repeated or continuing negligence or any other professional
5 incompetence in the practice of funeral directing or embalming.
- 6 3. Violation of any provision of this chapter or any rule adopted
7 pursuant to this chapter.
- 8 4. Violation of any provision of title 44, chapter 10, article 7.
- 9 B. After a formal hearing, the board may deny or refuse to renew a
10 license or take disciplinary action against a responsible funeral director
11 for a violation of any provision of this chapter or any rule adopted
12 pursuant to this chapter by an employee of the licensed funeral
13 establishment that the responsible funeral director manages.

14 Sec. 8. Section 32-1372, Arizona Revised Statutes, is amended to
15 read:

16 32-1372. Display of merchandise prices; rules

17 The board shall adopt rules that require each funeral establishment
18 to place a price card in a conspicuous place with each casket, alternative
19 container, outer burial container, ALKALINE HYDROLYSIS CONTAINER or other
20 item of funeral goods available for purchase. A funeral establishment
21 shall place each price card in a location that enables a person to view
22 the card without physically handling the card. Merchandise photographs
23 must have the price of the merchandise displayed in a conspicuous manner.

24 Sec. 9. Section 32-1373, Arizona Revised Statutes, is amended to
25 read:

26 32-1373. Statement of funeral goods and services

27 A. A licensee or registrant shall not enter into a contract to
28 furnish funeral goods or services in connection with the burial or other
29 disposition of a dead human body until the licensee or registrant has
30 first delivered to the potential purchaser a written or printed statement
31 of funeral goods and services that contains the following information, if
32 this information is available at the time the contract is executed:

- 33 1. The total charge for the services of the licensee or registrant
34 and the use of the funeral establishment, including the preparation of the
35 body and other professional services, and the charge for the use of
36 automotive and other necessary equipment.
- 37 2. An itemization of charges for the casket, ~~or~~ alternative
38 container OR ALKALINE HYDROLYSIS CONTAINER and any outer burial container.
- 39 3. An itemization of fees or charges and the total amount of cash
40 advances made by the licensee or registrant for transportation, flowers,
41 cemetery or crematory charges, newspaper notices, clergy honorarium,
42 transcripts, telegrams, long-distance telephone calls, music and any other
43 advances authorized by the purchaser.
- 44 4. The method of payment and any interest charges.

1 5. An itemization of any fees or charges not included in paragraphs
2 1 through 4 **OF THIS SUBSECTION.**

3 6. The total amount of charges itemized and included pursuant to
4 this subsection.

5 7. The location where the deceased will be held, embalmed or
6 cremated **OR WILL UNDERGO ALKALINE HYDROLYSIS** if the location is not the
7 funeral establishment's premises.

8 8. A statement containing the name, address and ~~phone~~ **TELEPHONE**
9 number of any corporation, limited liability company, partnership or
10 limited partnership that holds an ownership interest of ten ~~per cent~~
11 **PERCENT** or more in the funeral establishment or crematory.

12 B. The statement of funeral goods and services delivered to the
13 potential purchaser shall also contain a conspicuous statement informing
14 the potential purchaser that a casket, ~~or~~ outer burial container,
15 **ALTERNATIVE CONTAINER USED FOR CREMATION OR COVERING USED FOR ALKALINE**
16 **HYDROLYSIS** may be purchased and used, at the option of the purchaser, in
17 connection with the funeral services and final disposition of human
18 remains, but that, except as provided pursuant to section 36-136, the
19 purchase or use of caskets, ~~or~~ outer burial containers, **ALTERNATIVE**
20 **CONTAINERS USED FOR CREMATION OR COVERINGS USED FOR ALKALINE HYDROLYSIS** is
21 not required by law.

22 C. A licensee or registrant shall not bill or cause to be billed
23 any item that is referred to as a cash advanced item unless the net amount
24 paid for the item or items by the funeral establishment is the same as the
25 amount billed by the funeral establishment.

26 D. If the charge for any of the items prescribed in this section is
27 not known at the time the contract is entered into, the licensee or
28 registrant shall advise the purchaser of the charge for the item within a
29 reasonable period after the information becomes available.

30 E. A funeral director shall certify a statement of funeral goods
31 and services with the funeral director's license number and signature
32 before conducting final services or within five days after the purchaser
33 signs the statement, whichever is earlier.

34 Sec. 10. Section 32-1399, Arizona Revised Statutes, is amended to
35 read:

36 **32-1399. Crematories; standards of practice**

37 The board shall adopt rules that establish standards equivalent to
38 section 32-1307, subsection A, paragraph 5 for the regulation of
39 crematories and cremation and that include the following:

40 1. A crematory shall develop, implement and maintain a written
41 procedure for the identification of human remains that ensures that
42 remains can be identified from the time that a crematory accepts the
43 delivery of the remains until the cremated remains are released to the
44 authorizing agent. The identification procedures shall require the
45 crematory to comply with the requirements of this section. The crematory

1 shall not open a container containing human remains, except under the
 2 personal supervision of a licensed funeral director, ~~or embalmer,~~ or a
 3 responsible cremationist licensed pursuant to this article and trained in
 4 crematory operations to manage the daily operation of the crematory.
 5 After taking custody of human remains, a crematory shall immediately
 6 verify the identification attached to the casket or cremation container
 7 and assign an identification number. The crematory shall not accept
 8 unidentified caskets or cremation containers. The identification shall
 9 include the name and address of the deceased, the name and relationship of
 10 the authorizing agent, the name of the person or entity engaging the
 11 crematory services, a valid cremation permit issued by a government agency
 12 and a metal cremation disk containing the identification number. The disk
 13 shall be placed with the deceased during cremation.

14 2. If a crematory is unable to cremate the human remains
 15 immediately after taking custody, the crematory shall store the remains in
 16 a holding facility that is secure from access by anyone other than
 17 employees of the crematory and public officials in the performance of
 18 their duty and that complies with applicable public health laws, preserves
 19 the dignity of the human remains and protects the health of employees of
 20 the crematory.

21 3. A crematory shall not accept a casket or cremation container
 22 from which there is evidence of leakage of body fluids from the human
 23 remains and shall not hold human remains for cremation unless they are
 24 contained in an individual, closed casket or rigid cremation container of
 25 combustible material that preserves the dignity of the human remains and
 26 that protects the health of employees of the crematory. Human remains
 27 that are not embalmed shall be held by the crematory in a refrigerated
 28 holding facility THAT MAINTAINS HUMAN REMAINS AT OR BELOW THIRTY-EIGHT
 29 DEGREES FAHRENHEIT or in compliance with applicable public health laws.

30 4. All body prostheses, bridgework or similar items removed from
 31 the cremated remains shall be disposed of by the crematory unless an
 32 alternative disposition is agreed to in the authorization to cremate.

33 5. After cremation, the crematory as far as practicable shall
 34 remove visible parts of the residual of the cremation process from the
 35 retort, shall not combine the cremated or processed remains with other
 36 cremated or processed remains and shall attach the identification of the
 37 cremated or processed remains to the temporary container or urn into which
 38 the remains are placed.

39 6. The crematory shall place cremated or processed remains in a
 40 temporary container or urn. Extra space may be filled with clean packing
 41 material that will not combine with the cremated or processed remains.
 42 The lid or top shall be securely closed. Any cremated or processed
 43 remains that do not fit in the temporary container or urn shall be
 44 returned in a separate container or, with permission of the authorizing
 45 agent, disposed of by the crematory.

1 7. A crematory may dispose of cremated or processed remains in any
2 legal manner directed by a document prepared pursuant to section
3 32-1365.01 or agreed to by the authorizing agent. If the authorizing
4 agent agrees to take possession and does not take possession of the
5 remains within thirty days after cremation or on an agreed date, the
6 crematory shall send written notice to the last known address of the
7 authorizing agent to take possession. Ninety days after the notification
8 is sent or delivered, the crematory may dispose of the cremated or
9 processed remains in any legal manner.

10 8. Unless the deceased has prepared a document pursuant to section
11 32-1365.01, the crematory shall obtain an authorization to cremate from
12 the authorizing agent that shall contain a provision holding the crematory
13 harmless for the disposition of unclaimed cremated or processed remains.

14 9. All employees of the crematory who handle dead human bodies
15 shall use universal precautions and shall otherwise exercise reasonable
16 care to minimize the risk of transmitting any communicable disease from a
17 dead human body.

18 10. Unless the deceased has prepared a document pursuant to section
19 32-1365.01, employees of the crematory shall not remove a dead human body
20 from the container in which it is delivered to the crematory without the
21 express written consent of the authorizing agent. If, after accepting a
22 dead human body for cremation, employees of a crematory discover that a
23 mechanical or radioactive device is implanted in the body, an embalmer
24 licensed pursuant to article 2 of this chapter shall remove the device
25 from the body before cremation takes place.

26 11. A crematory shall keep an accurate record of all cremations
27 performed, including dispositions of cremated and processed remains, for
28 not fewer than five years after the cremation.