

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

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2024

Introduced by
Representative Udall

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 BEING recognized or authorized by the
7 American 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 A DEAD HUMAN
24 BODY AND INTO WHICH THE BODY IS PLACED BEFORE THE CONTAINER'S INSERTION
25 INTO AN ALKALINE 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 ALKALINE
30 HYDROLYSIS.

31 6. "ALKALINE HYDROLYSIS OPERATOR" MEANS A PERSON WHO IS TRAINED TO
32 CARRY OUT THE PROCESS OF ALKALINE HYDROLYSIS.

33 7. "ALKALINE HYDROLYSIS VESSEL" MEANS THE CONTAINER IN WHICH
34 ALKALINE HYDROLYSIS 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~~ ENCASING human
38 remains.

39 ~~9.~~ 9. "Authorizing agent" means a person who is legally entitled
40 to order the cremation, disinterment or embalming of human remains
41 pursuant to section 32-1365.02.

42 ~~10.~~ 10. "Beneficiary" means a person whose future funeral
43 arrangements will be handled by a funeral establishment pursuant to a
44 prearranged funeral agreement.

1 ~~6.~~ 11. "Board" means the state board of funeral directors and
2 embalmers.

3 ~~7.~~ 12. "Business entity" includes any corporation, association,
4 limited liability company, professional corporation, partnership, limited
5 partnership, sole proprietorship, business trust, trust, joint venture and
6 other business entity.

7 ~~8.~~ 13. "Casket" means a rigid container that is designed to
8 permanently encase human remains and that is usually constructed of wood,
9 metal or synthetic substances and ornamented and lined with fabric.

10 ~~9.~~ 14. "Change of ownership" means a transfer of a controlling
11 legal or equitable interest in a licensed funeral establishment or
12 crematory resulting from a sale or merger. If the establishment or
13 crematory is operated by a business entity, any transfer of the ownership
14 of ten percent or more of the entity constitutes a change of ownership.

15 ~~10.~~ 15. "Conviction" means a criminal adjudication or conviction
16 by any state or federal court of competent jurisdiction, including a
17 judgment based on a no contest plea, without regard to whether civil
18 rights have been restored.

19 ~~11.~~ 16. "Cremated remains" means the remaining bone fragments
20 after cremation.

21 ~~12.~~ 17. "Cremation" means the heating process that reduces human
22 remains to bone fragments by combustion and evaporation.

23 ~~13.~~ 18. "Cremation container" means a leak and spill resistant,
24 rigid, combustible, closed receptacle into which human remains are placed
25 before cremation.

26 ~~14.~~ 19. "Cremationist" means a person who operates a crematory
27 retort, who performs the actual cremation of human remains and who may be
28 licensed pursuant to article 6 of this chapter.

29 ~~15.~~ 20. "Crematory" means a building or portion of a building that
30 is licensed pursuant to article 6 of this chapter and that houses a retort
31 in which only human remains are cremated.

32 ~~16.~~ 21. "Disciplinary action" means an action taken by the board
33 to revoke or suspend a license or registration, to impose probationary
34 requirements or civil penalties or to issue a letter of censure or
35 reprimand to any person who is subject to this chapter and who violates
36 any provision of this chapter or rules adopted by the board.

37 ~~17.~~ 22. "Embalmer" means a person who is licensed pursuant to this
38 chapter and who is engaged in embalming.

39 ~~18.~~ 23. "Embalmer's assistant" means a person who is registered
40 pursuant to this chapter and who is engaged in embalming without the
41 supervision of a licensed embalmer.

42 ~~19.~~ 24. "Embalming" means the implementation of reconstructive
43 procedures and the process of disinfecting and preserving a dead human
44 body to retard organic decomposition by treating the body to reduce the
45 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":

25 (a) Means any personal property or services that are typically sold
26 or provided in connection with the final disposition of human remains,
27 including caskets, alternative containers, outer burial containers,
28 cremation containers, transportation containers, funeral clothing or
29 accessories, monuments, grave markers, urns, embalming services, funeral
30 directing services and similar funeral or burial items. ~~Funeral goods and~~
31 ~~services do~~

32 (b) DOES not include goods and services sold by cemeteries.

33 ~~27.~~ 32. "Good moral character" means that a person:

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

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

40 (c) Has not, within five years of applying for licensure or
41 registration, committed any act involving dishonesty, fraud,
42 misrepresentation, breach of fiduciary duty, gross negligence or
43 incompetence if the act has a reasonable relationship to the person's
44 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~~ RETAINING 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 ALKALINE HYDROLYSIS OPERATOR or to operate a
32 funeral establishment, ~~or~~ crematory OR ALKALINE HYDROLYSIS FACILITY in
33 this state.

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

38 ~~34.~~ 39. "Manage" means:

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

44 (b) That a responsible cremationist exercises control and oversight
45 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":
14 (a) Means a person who owns ten percent or more of a business
15 entity. ~~OWNER~~
16 (b) Does not include shareholders of companies who have a class of
17 common equity stock listed or authorized to be listed on the New York
18 stock exchange or the American stock exchange or listed on the NASDAQ
19 stock market.
20 ~~39.~~ 44. "Person legally responsible" means the person responsible
21 for burying a dead body as determined in section 36-831.
22 ~~40.~~ 45. "Prearranged funeral agreement" means any agreement or
23 combination of agreements under which a payment is made before the death
24 of the intended beneficiary for funeral goods and services to be delivered
25 or performed after the death of the beneficiary.
26 ~~41.~~ 46. "Prearranged funeral trust account" means a trust account
27 that is established at a financial institution and into which all monies
28 paid on behalf of a beneficiary pursuant to a prearranged funeral
29 agreement are deposited.
30 ~~42.~~ 47. "Preparation" means washing, shaving, dressing or
31 arranging hair on, applying cosmetics to or positioning bodily features on
32 a dead human body and placing ~~THE~~ dead human body in a casket.
33 ~~43.~~ 48. "Processed cremated remains" means cremated remains after
34 they are pulverized and cleaned, leaving primarily small bone fragments.
35 ~~44.~~ 49. "Provisionally accredited" means ~~BEING~~ granted candidacy
36 status by the American board of funeral service education.
37 ~~45.~~ 50. "Registration" means a written authorization that is
38 issued by the board and that entitles a person to act as an assistant
39 funeral director, an embalmer's assistant or a prearranged funeral
40 salesperson in this state.
41 ~~46.~~ 51. "Responsible cremationist" means a licensed cremationist
42 who manages a crematory.
43 ~~47.~~ 52. "Responsible funeral director" means a person who is
44 licensed pursuant to this chapter, who is engaged in funeral directing and
45 who manages and is accountable for a funeral establishment.

1 ~~48.~~ 53. "Retort" means an enclosed space within which cremation
2 takes place.

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

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

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

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

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

25 ~~54.~~ 59. "Unprofessional conduct" includes the following acts,
26 whether occurring in this state or elsewhere:

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

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

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

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

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

42 (f) Paying or causing ~~money~~ MONIES or other valuable consideration
43 to be paid to a person, other than an employee of a funeral establishment,
44 to secure business regulated pursuant to this chapter from or through the
45 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 deceptive, misleading or professionally
2 negligent practices in advertising, offering or selling funeral goods or
3 services by funeral establishments, crematories, licensees and registrants
4 and agents of funeral establishments, crematories, licensees and
5 registrants. The rules shall specifically prohibit misrepresentation of
6 the legal requirements concerning ~~the preparation~~ PREPARING and ~~interment~~
7 ~~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 the board's affairs and the
14 enforcement of ~~the provisions of~~ this chapter.

15 (h) The inspection of all funeral establishments, ~~and~~ crematories
16 AND ALKALINE HYDROLYSIS FACILITIES at least once every five years.

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

19 B. The board may:

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

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

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

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

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

41 6. Charge the reasonable costs of a fingerprint background check to
42 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:

27 (a) FOR A NEW ALKALINE HYDROLYSIS FACILITY, A FEE IN AN AMOUNT TO
28 BE DETERMINED BY THE BOARD.

29 (b) FOR A CHANGE OF NAME OR LOCATION, A FEE IN AN AMOUNT TO BE
30 DETERMINED BY THE BOARD.

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

33 13. FOR AN INTERIM ALKALINE HYDROLYSIS FACILITY PERMIT, A FEE IN AN
34 AMOUNT TO BE DETERMINED BY THE BOARD.

35 14. FOR EXTENSION OF AN INTERIM ALKALINE HYDROLYSIS FACILITY
36 PERMIT, A FEE IN AN AMOUNT TO BE DETERMINED BY THE BOARD.

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

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

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

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

- 1 4. For the funeral service science section of the state equivalent
2 examination, ~~one hundred fifty dollars~~ \$150.
- 3 5. For the funeral service arts section of the state equivalent
4 examination, ~~one hundred fifty dollars~~ \$150.
- 5 C. The board shall establish and collect the following license and
6 registration issuance fees:
- 7 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
8 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
9 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
10 \$85.
11 4. For an intern license, ~~eighty-five dollars~~ \$85.
12 5. For a prearranged funeral salesperson registration, ~~eighty-five~~
13 ~~dollars~~ \$85.
14 6. For a cremationist license, ~~eighty-five dollars~~ \$85.
15 7. FOR AN ALKALINE HYDROLYSIS FACILITY LICENSE, A FEE IN AN AMOUNT
16 TO BE DETERMINED BY THE BOARD.
17 8. FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE, A FEE IN AN AMOUNT
18 TO BE DETERMINED BY THE BOARD.
- 19 D. The board shall establish and collect the following renewal
20 fees:
- 21 1. For a funeral director license, ~~eighty-five dollars~~ \$85.
22 2. For an embalmer license, ~~eighty-five dollars~~ \$85.
23 3. For an embalmer's assistant registration, ~~eighty-five dollars~~
24 \$85.
25 4. For an intern license, ~~eighty-five dollars~~ \$85.
26 5. For an assistant funeral director registration, ~~eighty-five~~
27 ~~dollars~~ \$85.
28 6. For a prearranged funeral salesperson registration, ~~eighty-five~~
29 ~~dollars~~ \$85.
30 7. For an establishment license, ~~four dollars~~ \$4 for each
31 disposition performed by the establishment during the immediately
32 preceding calendar year. For the purposes of this paragraph, a funeral
33 establishment performs a disposition each time the establishment files a
34 death certificate pursuant to section 36-325.
35 8. For a prearranged funeral sales establishment endorsement, ~~one~~
36 ~~hundred eighty-five dollars~~ \$185.
37 9. For a crematory license, ~~two hundred dollars~~ \$200 per retort.
38 10. For a cremationist license, ~~eighty-five dollars~~ \$85.
39 11. FOR AN ALKALINE HYDROLYSIS FACILITY LICENSE, A FEE IN AN AMOUNT
40 TO BE DETERMINED BY THE BOARD.
41 12. FOR AN ALKALINE HYDROLYSIS OPERATOR LICENSE, A FEE IN AN AMOUNT
42 TO BE DETERMINED BY THE BOARD.
- 43 E. The board shall establish and collect the following fees:
44 1. For a duplicate license or registration, ~~twenty-five dollars~~
45 \$25.

- 1 2. For a reexamination:
- 2 (a) For a state laws and rules examination, ~~fifty dollars~~ \$50.
- 3 (b) For the funeral service science section or the funeral service
- 4 arts section of the state equivalent examination, ~~sixty-five dollars~~ \$65.
- 5 3. For late renewal of a licensee or registration, ~~thirty-five~~
- 6 ~~dollars~~ \$35.
- 7 4. For late renewal of an establishment license or endorsement,
- 8 ~~sixty dollars~~ \$60.
- 9 5. For inactive licensure or registration, ~~twenty-five dollars~~ \$25.
- 10 6. For reinstatement of an inactive license, ~~fifty dollars~~ \$50.
- 11 7. For reinstatement of an inactive registration, ~~one hundred~~
- 12 ~~thirty dollars~~ \$130.
- 13 8. For an interim funeral establishment permit, ~~twenty-five dollars~~
- 14 \$25.
- 15 9. For filing an annual trust report, a fee of not more than ~~two~~
- 16 ~~hundred dollars~~ \$200.
- 17 10. For filing a late or incomplete annual trust report, a penalty
- 18 of not more than ~~two hundred dollars~~ \$200.
- 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 facilities; 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 MEET ALL OF THE FOLLOWING:

11 1. HAVE A BUILDING OR STRUCTURE THAT COMPLIES WITH APPLICABLE LOCAL
12 AND STATE BUILDING CODES, ZONING LAWS AND ORDINANCES AND WASTEWATER
13 MANAGEMENT AND ENVIRONMENTAL STANDARDS AND THAT CONTAINS ONE OR MORE
14 ALKALINE HYDROLYSIS VESSELS.

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

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

19 4. HAVE 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.

25 2. SHALL PROVIDE PROPER PROCEDURES FOR ALL PERSONNEL.

26 3. SHALL COMPLY WITH THIS CHAPTER AND OTHER APPLICABLE STATE AND
27 FEDERAL LAWS RELATING TO OCCUPATIONAL AND WORKPLACE HEALTH AND SAFETY.

28 32-1343. Alkaline hydrolysis operators; licensure;
29 application; qualifications; fingerprinting;
30 renewal

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 MEET ALL OF THE FOLLOWING:

38 1. BE OF GOOD MORAL CHARACTER.

39 2. SUBMIT A COMPLETED FINGERPRINT CARD AND THE PRESCRIBED
40 FINGERPRINT RECORDS CHECK FEE TO THE BOARD TO ENABLE THE BOARD OR THE
41 DEPARTMENT OF PUBLIC SAFETY TO CONDUCT A CRIMINAL RECORDS CHECK.

42 3. MEET THE EDUCATIONAL REQUIREMENTS AS PRESCRIBED BY THE BOARD IN
43 RULE.

44 C. IF THE BOARD FINDS THAT THE APPLICANT MEETS THE CRITERIA FOR AN
45 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 D. EXCEPT AS PROVIDED IN SECTION 32-4301, AN ALKALINE HYDROLYSIS
4 OPERATOR LICENSE ISSUED PURSUANT TO THIS ARTICLE EXPIRES ON AUGUST 1 OF
5 EACH YEAR. A LICENSED ALKALINE HYDROLYSIS OPERATOR SHALL SUBMIT A RENEWAL
6 APPLICATION AND THE APPLICABLE NONREFUNDABLE RENEWAL FEE PURSUANT TO
7 SECTION 32-1309 ON OR BEFORE JULY 1 OF EACH YEAR. A LICENSED ALKALINE
8 HYDROLYSIS OPERATOR THAT SUBMITS A RENEWAL APPLICATION AND THE APPLICABLE
9 RENEWAL FEE AFTER JULY 1 BUT BEFORE AUGUST 1 SHALL PAY A LATE FEE PURSUANT
10 TO SECTION 32-1309 IN ADDITION TO THE RENEWAL FEE. A LICENSED ALKALINE
11 HYDROLYSIS OPERATOR THAT FAILS TO SUBMIT A RENEWAL APPLICATION AND THE
12 APPLICABLE FEE ON OR BEFORE AUGUST 1 MUST APPLY FOR A NEW LICENSE PURSUANT
13 TO THIS ARTICLE.

14 32-1344. Alkaline hydrolysis facilities: licensure
15 requirements; application; renewal

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

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

31 1. BE OF GOOD MORAL CHARACTER.

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

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

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

43 E. EXCEPT AS PROVIDED IN SECTION 32-4301, AN ALKALINE HYDROLYSIS
44 FACILITY LICENSE ISSUED PURSUANT TO THIS ARTICLE EXPIRES ON AUGUST 1 OF
45 EACH YEAR. A LICENSED ALKALINE HYDROLYSIS FACILITY SHALL SUBMIT A RENEWAL

1 APPLICATION AND THE APPLICABLE NONREFUNDABLE RENEWAL FEE PURSUANT TO
2 SECTION 32-1309 ON OR BEFORE JULY 1 OF EACH YEAR. A LICENSED ALKALINE
3 HYDROLYSIS FACILITY THAT SUBMITS A RENEWAL APPLICATION AND THE APPLICABLE
4 RENEWAL FEE AFTER JULY 1 BUT BEFORE AUGUST 1 SHALL PAY A LATE FEE PURSUANT
5 TO SECTION 32-1309 IN ADDITION TO THE RENEWAL FEE. A LICENSED ALKALINE
6 HYDROLYSIS FACILITY THAT FAILS TO SUBMIT A RENEWAL APPLICATION AND THE
7 APPLICABLE FEE ON OR BEFORE AUGUST 1 MUST APPLY FOR A NEW LICENSE PURSUANT
8 TO THIS ARTICLE.

9 32-1345. Display of license

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

13 32-1346. Alkaline hydrolysis facilities; nontransferability of
14 license; interim permits; confidentiality;
15 definition

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

19 B. IF A CHANGE OF OWNERSHIP OF AN ALKALINE HYDROLYSIS FACILITY
20 OCCURS, THE LICENSEE SHALL NOTIFY THE BOARD IN WRITING AND SHALL SURRENDER
21 THE LICENSE TO THE BOARD WITHIN TWENTY DAYS AFTER THE CHANGE OF OWNERSHIP.
22 THE NEW OWNER SHALL ALSO NOTIFY THE BOARD IN WRITING WITHIN TWENTY DAYS
23 AFTER THE CHANGE OF OWNERSHIP AND SHALL SUBMIT AN APPLICATION FOR AN
24 ALKALINE HYDROLYSIS FACILITY LICENSE TO THE BOARD PURSUANT TO SECTION
25 32-1344.

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

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

35 2. THE ALKALINE HYDROLYSIS FACILITY CONTINUES TO MEET THE
36 REQUIREMENTS OF SECTION 32-1342.

37 D. AN INTERIM PERMIT ISSUED BY THE BOARD PURSUANT TO THIS SECTION
38 SHALL BE FOR NOT MORE THAN FORTY-FIVE DAYS AND MAY NOT BE EXTENDED EXCEPT
39 AS PROVIDED IN SUBSECTION E OF THIS SECTION. AN INTERIM PERMIT IS A
40 CONDITIONAL PERMIT AND AUTHORIZES THE HOLDER TO OPERATE AN ALKALINE
41 HYDROLYSIS FACILITY AS WOULD BE ALLOWED UNDER AN ALKALINE HYDROLYSIS
42 FACILITY LICENSE ISSUED PURSUANT TO THIS ARTICLE. THE HOLDER OF AN
43 INTERIM PERMIT IS SUBJECT TO THE LICENSING RULES AND DISCIPLINARY
44 PROCEEDINGS PRESCRIBED IN THIS CHAPTER AND IN RULES ADOPTED BY THE BOARD
45 PURSUANT TO THIS ARTICLE.

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

4 F. UNTIL THE NEW OWNER'S LICENSE IS ISSUED, THE BOARD SHALL KEEP
5 CONFIDENTIAL ALL NOTICES FILED WITH THE BOARD BY THE PROSPECTIVE NEW OWNER
6 OF AN ALKALINE HYDROLYSIS FACILITY PURSUANT TO THIS SECTION.

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

11 32-1347. Change of name or location

12 A. THE OWNER OF A LICENSED ALKALINE HYDROLYSIS FACILITY WHO DESIRES
13 TO CHANGE THE NAME OF THE ALKALINE HYDROLYSIS FACILITY SHALL SUBMIT AN
14 APPLICATION ON A FORM PRESCRIBED BY THE BOARD. THE APPLICATION SHALL BE
15 SUBSCRIBED UNDER OATH AND SHALL BE ACCOMPANIED BY THE APPLICABLE FEE.

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

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

25 32-1365. Violations; classification

26 A. It is unlawful:

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

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

35 3. To use, for burial purposes, a casket **THAT WAS** previously used
36 as a receptacle for the burial or other disposition of a dead human body.

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

40 5. For a funeral director or embalmer, or an agent of a funeral
41 director or embalmer, after a death or while a death is impending, to
42 knowingly pay, offer to pay or cause to be paid, directly or indirectly, a
43 sum of money or any other valuable consideration for securing business
44 relating to the death. This paragraph does not prohibit the payment of

1 commissions to salespersons and funeral directors who are employed by a
2 funeral establishment.

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

9 7. For any funeral establishment or funeral director to advertise
10 under any name that tends to mislead the public or that sufficiently
11 resembles the professional or business name of another licensed funeral
12 director or establishment as to cause confusion or misunderstanding.

13 8. For a funeral director or embalmer or an agent of a funeral
14 director or embalmer responsible for directing the lawful disposition of a
15 dead human body to hold a direct pecuniary or proprietary interest in a
16 procurement organization as defined in section 36-841. This paragraph
17 does not preclude reasonable payments to a funeral establishment or a
18 licensee for ~~the preparation, transportation, preservation, storage~~
19 ~~PREPARING, TRANSPORTING, PRESERVING, STORING and delivery of DELIVERING~~ a
20 dead human body to a procurement organization as defined in section
21 36-841.

22 9. For a funeral establishment owner or operator to influence
23 employees of the funeral establishment to direct human remains to a
24 procurement organization in which the owner or operator of the funeral
25 establishment has a direct pecuniary or proprietary interest.

26 10. For a procurement organization and a funeral establishment to
27 operate on the same premises.

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

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

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

38 32-1366. Grounds for disciplinary action

39 A. After a formal hearing, the board may deny or refuse to renew a
40 license or registration or may take disciplinary action against any
41 embalmer, intern, funeral director, ~~ALKALINE HYDROLYSIS OPERATOR~~ or other
42 person ~~WHO IS~~ licensed or registered pursuant to article 2 ~~OR 2.1~~ of this
43 chapter for any of the following reasons:

44 1. Commission of an act of unprofessional conduct.

1 2. Repeated or continuing negligence or any other professional
2 incompetence in the practice of funeral directing, ~~or~~ embalming **OR**
3 **ALKALINE HYDROLYSIS**.

4 3. Violation of any provision of this chapter or any rule adopted
5 pursuant to this chapter.

6 4. Violation of any provision of title 44, chapter 10, article 7.

7 B. After a formal hearing, the board may deny or refuse to renew a
8 license or take disciplinary action against a responsible funeral director
9 for a violation of any provision of this chapter or any rule adopted
10 pursuant to this chapter by an employee of the licensed funeral
11 establishment that the responsible funeral director manages.

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

14 32-1372. Display of merchandise prices; rules

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

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

24 32-1373. Statement of funeral goods and services

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

31 1. The total charge for the services of the licensee or registrant
32 and the use of the funeral establishment, including ~~the preparation of~~
33 **PREPARING** the body and other professional services, and the charge for ~~the~~
34 ~~use of~~ **USING** automotive and other necessary equipment.

35 2. An itemization of charges for the casket, ~~or~~ alternative
36 container **OR ALKALINE HYDROLYSIS CONTAINER** and any outer burial container.

37 3. An itemization of fees or charges and the total amount of cash
38 advances made by the licensee or registrant for transportation, flowers,
39 cemetery or crematory charges, newspaper notices, clergy honorarium,
40 transcripts, telegrams, long-distance telephone calls, music and any other
41 advances authorized by the purchaser.

42 4. The method of payment and any interest charges.

43 5. An itemization of any fees or charges not included in paragraphs
44 1 through 4 **OF THIS SUBSECTION**.

1 6. The total amount of charges itemized and included pursuant to
2 this subsection.

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

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

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

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

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

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

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

34 **32-1399. Crematories; standards of practice**

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

38 1. A crematory shall develop, implement and maintain a written
39 procedure for the identification of human remains that ensures that
40 remains can be identified from the time that a crematory accepts the
41 delivery of the remains until the cremated remains are released to the
42 authorizing agent. The identification procedures shall require the
43 crematory to comply with the requirements of this section. The crematory
44 shall not open a container containing human remains, except under the
45 personal supervision of a licensed funeral director, ~~or~~ embalmer, ~~or~~ or a

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

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

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

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

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

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

44 7. A crematory may dispose of cremated or processed remains in any
45 legal manner directed by a document prepared pursuant to section

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

8 8. Unless the deceased has prepared a document pursuant to section
9 32-1365.01, the crematory shall obtain an authorization to cremate from
10 the authorizing agent that shall contain a provision holding the crematory
11 harmless for the disposition of unclaimed cremated or processed remains.

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

16 10. Unless the deceased has prepared a document pursuant to section
17 32-1365.01, employees of the crematory shall not remove a dead human body
18 from the container in which it is delivered to the crematory without the
19 express written consent of the authorizing agent. If, after accepting a
20 dead human body for cremation, employees of a crematory discover that a
21 mechanical or radioactive device is implanted in the body, an embalmer
22 licensed pursuant to article 2 of this chapter shall remove the device
23 from the body before cremation takes place.

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