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CEMETERIES AND FUNERAL HOMES

House Bill 4569

Sponsor: Rep. Charles LaSata

Committee: Commerce

Complete to 7-30-01

A SUMMARY OF HOUSE BILL 4569 AS INTRODUCED 4-17-01

The Occupational Code governs the ownership or operation of funeral homes and cemeteries. Currently, the act specifically prohibits a person who, either directly or indirectly, owns or operates a cemetery from owning, managing, supervising, operating or maintaining--directly or indirectly--a funeral home, and further prohibits a cemetery owner from permitting an officer, agent or employee to own or maintain a funeral home. The bill would amend the act (MCL 339.1804 et al.) to, instead, specifically authorize a person to own, manage, operate, etc. both a funeral home and a cemetery concurrently, and would delete various provisions prohibiting mutual ownership arrangements.

Further, current law requires that if a funeral home is a corporation or a partnership, each "active member" of the business must hold a mortuary science license. Under the bill, only the operator of a funeral home would have to be licensed. However, each corporate owner, officer, or shareholder who owned ten percent or more of the stock, and each partner in a partnership, would have to be "of good moral character". The Department of Consumer and Industry Services would have to deny an application for or renewal of a license for a funeral home unless its operator was licensed to practice mortuary science.

The bill would take effect January 1, 2002.

Analyst: J. Caver

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.