

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Chestnut offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 756-760 and insert:

5 Section 15. Subsection (13) is added to section 497.365,
6 Florida Statutes, to read:

7 497.365 Licensure; inactive and delinquent status.—

8 (13) A person may not embalm human remains unless he or
9 she is licensed under this chapter as:

10 (a) An embalmer;

11 (b) A funeral director and embalmer; or

12 (c) An embalmer intern or embalmer apprentice, while under
13 the direct supervision or general supervision of a licensed
14 embalmer or licensed funeral director and embalmer as required
15 by this chapter.

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16 Section 16. Paragraphs (a), (b), and (c) of subsection (1)
17 of section 497.372, Florida Statutes, are amended, subsection
18 (2) is renumbered as subsection (3), a new subsection (2) is
19 added to that section, and paragraph (a) of present subsection
20 (2) of that section is amended, to read:

21 497.372 Funeral directing; conduct constituting practice
22 of funeral directing.—

23 (1) The practice of funeral directing shall be construed
24 to consist of the following functions, which may be performed
25 only by a licensed funeral director:

26 (a) Selling or offering to sell funeral services,
27 embalming, cremation, or other services relating to the final
28 disposition of human remains, including the removal of such
29 remains from the state, on an at-need basis.

30 (b) Planning or arranging, on an at-need basis, the
31 details of a funeral services, embalming, cremation, or other
32 services relating to the final disposition of human remains,
33 including the removal of such remains from the state, ~~service~~
34 with the family or friends of the decedent or any other person
35 responsible for such services ~~service~~; setting the time of the
36 services ~~service~~; establishing the type of services ~~service~~ to
37 be rendered; acquiring the services of the clergy; and obtaining
38 vital information for the filing of death certificates and
39 obtaining of burial transit permits.

40 (c) Making, negotiating, or completing the financial
41 arrangements for a funeral services, embalming, cremation, or
42 other services relating to the final disposition of human
43 remains, including the removal of such remains from the state,

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44 ~~service~~ on an at-need basis, except ~~provided~~ that nonlicensed
45 personnel may assist the funeral director in performing such
46 tasks.

47 (2) A funeral director may not engage in the practice of
48 funeral directing except through affiliation with a funeral
49 establishment licensed under this chapter. The board shall adopt
50 by rule criteria for determining whether such an affiliation
51 exists, whether through the funeral director's ownership of,
52 employment by, or contractual relationship with, a funeral
53 establishment. This subsection does not prohibit a funeral
54 director from being designated the licensed funeral director in
55 charge of a cinerator facility.

56 (3)-(2) The practice of funeral directing shall not be
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60 **T I T L E A M E N D M E N T**

61 Remove line 53 and insert:

62 s. 497.365, F.S.; prohibiting the embalming of human
63 remains except by certain licensees; amending s. 497.372,
64 F.S.; revising certain functions construed to be the
65 practice of funeral directing; prohibiting a funeral
66 director from engaging in the practice of funeral
67 directing except under certain circumstances; providing an
68 exception; revising the acts which are exempt from

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