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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/14/2013	.	
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	.	
	.	

The Committee on Health Policy (Flores) recommended the following:

Senate Amendment (with title amendment)

Delete lines 584 - 609
and insert:

Section 18. Paragraph (j) is added to subsection (1) of section 497.260, Florida Statutes, to read:

497.260 Cemeteries; exemption; investigation and mediation.—

(1) The provisions of this chapter relating to cemeteries and all rules adopted pursuant thereto shall apply to all cemeteries except for:

(j) A religious-institution-owned cemetery, including all



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13 associated columbaria and mausoleums, which are 50 acres or
14 less, if the religious institution:

15 1. Limits burial rights within the cemetery to members of
16 the religious institution and their families; and

17 2. Maintains escrowed funds sufficient to cover maintenance
18 costs and preneed agreements.

19 Section 19. Section 497.382, Florida Statutes, is amended
20 to read:

21 497.382 Reports of cases embalmed and bodies handled.—

22 (1) Each funeral establishment, direct disposal
23 establishment, cinerator facility, and centralized embalming
24 facility shall record monthly ~~report~~ on a form prescribed and
25 furnished by the licensing authority the name of the deceased
26 and such other information as may be required by rule with
27 respect to each dead human body embalmed or otherwise handled by
28 the establishment or facility. Such forms shall be signed
29 monthly by the embalmer who performs the embalming, if the body
30 is embalmed, and the funeral director in charge of the
31 establishment or facility or by the direct disposer who disposes
32 of the body and shall be maintained at the business premises of
33 the establishment or facility for inspection by division staff.
34 The licensing authority shall prescribe by rule the procedures
35 for preparing and retaining ~~in submitting~~ such forms
36 ~~documentation. Reports required by this subsection shall be~~
37 ~~filed by the 20th day of each month for final dispositions~~
38 ~~handled the preceding month.~~

39 (2) Funeral directors performing disinterments shall record
40 monthly on the form specified in subsection (1) and pursuant to
41 ~~report, using a form and procedures~~ prescribed ~~specified~~ by



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42 rule, the name of the deceased and such other information as may
43 be required by rule with respect to each dead human body
44 disinterred.

45 Section 20. Subsection (4) of section 497.452, Florida
46 Statutes, is amended to read:

47 497.452 Preneed license required.-

48 (4) The provisions of this section do not apply to
49 religious-institution-owned cemeteries exempt under s.
50 497.260(1)(d) or (j), ~~in counties with a population of at least~~
51 ~~960,000 persons on July 1, 1996,~~ with respect to the sale to the
52 religious institution's members and their families of interment
53 rights, mausoleums, crypts, cremation niches, cremation
54 interment containers, vaults, liners, urns, memorials, vases,
55 foundations, memorial bases, floral arrangements, monuments,
56 markers, engraving, and the opening and closing of interment
57 rights, mausoleums, crypts, cremation niches, and cremation
58 interment containers, if such cemeteries ~~have engaged in the~~
59 ~~sale of preneed contracts prior to October 1, 1993,~~ and maintain
60 a positive net worth at the end of each fiscal year of the
61 cemetery.

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 65 - 68

66 and insert:

67 amending s. 497.260, F.S.; revising the exemptions to
68 ch. 497, F.S., relating to cemeteries, to include
69 certain religious-institution-owned cemeteries;
70 amending s. 497.382, F.S.; revising certain reporting



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71 requirements for funeral establishments, direct
72 disposal establishments, cinerator facilities, and
73 centralized embalming facilities; amending s. 497.452,
74 F.S.; deleting obsolete provisions; conforming a
75 provision to changes made by the act; amending s.
76 497.607,