

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 1231](#)

TITLE: Final Disposition, Funeral, and Cemetery Services

SPONSOR(S): Oliver

COMPANION BILL: [SB 598](#) (Truenow)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Insurance & Banking](#)

15 Y, 0 N, As CS

[Commerce](#)



SUMMARY

Effect of the Bill:

The bill prohibits funeral and burial services providers from contracting to be the exclusive provider of funeral or burial services for an entity that provides medical or hospice care. The bill permits cemeteries to be divided by public rights of way and roads if parcels are in close proximity. The bill removes requisite education credentials for out of state embalmers, funeral directors, combination embalmer and funeral directors seeking licensure by endorsement. The bill revises education requirements for funeral director interns and combination embalmer and funeral director interns. The bill changes the timeframe in which facilities may dispose of human remains if legally authorized persons fail to direct disposition from 120 days to 90 days. The bill allows notices relating to preneed contracts to be sent by email. The bill excludes preneed contracts from insurance contract requirements. The bill explicitly authorizes natural organic reduction of human remains, establishes required procedures governing such reduction of human remains, and creates a licensing framework for natural organic reduction facilities.

Fiscal or Economic Impact:

The bill may have an indeterminate economic impact on the private sector.

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ANALYSIS

EFFECT OF THE BILL:

Prohibition on solicitations

The bill prohibits funeral and burial service providers and other similar providers licensed under the [Florida Funeral, Cemetery, and Consumer Services Act \("FFCCSA"\)](#), from contracting to become the exclusive or sole provider of funeral, burial, cremation, refrigeration, embalming, or removal services for medical providers, hospices, or similar end-of-life care providers. (Section [2](#)).

Land requirements for cemeteries

The bill amends requirements for cemeteries by allowing parcels to be divided by a public right-of-way or public road if the parcels are in close proximity and form a unified cemetery property. (Section [3](#)).

The bill requires applications for cemeteries to identify any public rights-of-way or public roads dividing parcels. (Section [3](#)).

The bill provides that parcels located in a separate or distant geographic area, even if along the same roadway or corridor, are not permissible. (Section [3](#)).

Education and testing requirements for licensure by endorsement

The bill amends requirements for obtaining an [embalmer license](#), [funeral director license](#), and [combination funeral director and embalmer license](#) by endorsement. The bill provides that a person with a valid license in good

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standing to practice in another state that has engaged in the full-time practice of their respective license in that state for at least 5 years is exempt from educational and testing requirements. (Sections [5-6](#) and Section [8](#)).

Licensure requirements for funeral director interns

The bill removes the educational requirement for applicants for a funeral director intern license to take and receive passing grades in college courses in ethics and in mortuary law or funeral service law. (Section [7](#)).

Under the bill, applicants are still required to hold an associate degree or higher in any field from an accredited college or university. Additionally, applicants are still required to be enrolled in and attending an approved course of study in mortuary science or funeral service arts. (Section [7](#)).

Licensure requirements for combination funeral director and embalmer interns

The bill changes the educational requirements for applicants for a combination funeral director and embalmer intern license by removing the requirements to complete 75 percent of the course of study in mortuary science and to take and receive passing grades in college credit courses in ethics and mortuary law or funeral law. (Section [9](#)).

The bill replaces these requirements with the requirement for applicants to hold an associate degree or higher in any field from a college or university accredited by a regional accrediting agency recognized by the United States Department of Education. Under the bill, applicants are still required to be enrolled in and attending an accredited college in a course of study in mortuary science. (Section [9](#)).

Disposal of human remains

The bill permits a licensee or facility to dispose of human remains without the direction of a legally authorized person if:

- The licensee or facility had lawful possession of the human remains for at least 90 days; and
- The legally authorized person¹ of the decedent fails, neglects, or refuses to direct the disposition of the human remains. (Section [10](#)).

Notices relating to unfilled preneed contracts

The bill permits licensees to send notices related to unfilled preneed contracts by e-mail. The bill further revises the process when a notice is returned undeliverable by allowing the trustee's required diligent search and inquiry to seek an alternative e-mail address for the purchaser or beneficiary of the contract, in addition to a mailing address. (Section [11](#)).

The bill removes provisions that define and expand the scope of a trustee's diligent search, including detailed requirements specifying what mailing addresses must be identified and used for follow-up notices. (Section [11](#)).

Natural organic reduction facilities

The bill defines natural organic reduction as the contained, accelerated conversion of human remains to soil, and expands the definition of cremation to include natural organic reduction. (Section [1](#)).

The bill defines natural organic reduction facility as a structure, room, or other space in a building or a real property where natural organic reduction of a human body occurs. (Section [1](#)).

Natural organic reduction facility licensure

The bill requires natural organic reduction facilities to apply for and obtain a license from DFS prior to operating in the state. Applicants must be a natural person at least 18 years of age, a corporation, a partnership, or a limited

¹ The priority for "legally authorized person" in arranging the disposition of a human body is generally (1) someone designated by the deceased in writing prior to their death; (2) surviving spouse; (3) adult children; (4) parents; (5) siblings; (6) other next of kin; (7) a guardian, personal representative of the estate, or friend if no next of kin. [S. 497.005\(43\), F.S.](#)

liability company. The applicant and the applicant's principals must be of good character with no demonstrated history of lack of trustworthiness or integrity in business or professional matters. (Section [12](#)).

License application requirements include:

- The name, address, date and place of birth or incorporation, and business phone number of the applicant and all principals of the applicant.
- The applicant's social security number or, if the applicant is an entity, its federal tax identification number.
- The name of the funeral director who will be in charge of the facility.
- Criminal records of the applicant.
- The applicant's finger prints and the finger prints of its principals.
- A disclosure providing whether the applicant, or its principals, have ever had a license refused, suspended, fined, denied, or otherwise acted or disciplined against by a licensing authority of any jurisdiction.
- Demonstration that the applicant does or will before operating under the license, comply with all requirements of the FFCCSA.
- The applicant's signature. (Section [12](#)).

The application may also require:

- Information on the applicant's financial resources.
- Information on the educational and employment history, if an individual, or if the applicant is not a natural person, the applicant's business and employment history of the applicant and its principals. (Section [12](#)).

Natural organic facility licenses must be renewed annually. The bill requires natural organic reduction facilities to be inspected prior to licensure and annually thereafter. (Section [12](#)).

The bill exempts natural organic reduction facilities from any licensing or license renewal fees. (Section [12](#)).

The bill permits DFS to issue probationary licenses to natural organic reduction facilities judged to be borderline as to qualification. A probationary license may only be issued if DFS determines issuance would not pose an unreasonable risk to the public. The bill provides that within 24 months of issuance, DFS must either remove the probationary status or determine that the licensee is not qualified for licensure. (Section [12](#)).

The bill requires natural organic reduction facilities to notify DFS prior to any change in location, ownership or control of the licensee or licensed person in charge of the licensee's operations. A licensee must obtain an inspection from DFS at a new location before commencing operations at the new location. (Section [12](#)).

Natural organic reduction facility requirements

The bill provides that natural organic reduction facilities must:

- Have a licensed funeral director in charge of the facility.²
- Be at a fixed location with at least 1,250 contiguous feet of interior space.
- Maintain or make arrangements for suitable capacity for the refrigeration and storage of human remains handled and stored by the establishment.
- Have at least one operable organic human reduction container.
- Have at least one operable processing station for grinding of organically reduced remains.
- Place human remains within an operable organic human reduction container within eight hours of receipt, or maintain refrigeration that satisfies standards set by the Department of Health and contains sufficient refrigerated space for the average daily number of bodies.
- Display the name of the facility and the name of the funeral director in charge at its public entrance.
- Transport human remains in a cremation container or store them if they are completely covered and treated with dignity and respect.

² The bill requires the funeral director in charge to possess a national or state certification as a natural organic reduction operator. A funeral director may not be in charge of more than two facilities.

- Operate only through a funeral establishment.
- Maintain the premises in a clean and sanitary condition.
- Submit periodic reports to DFS with information about the facility and persons undergoing natural organic reduction.
- Be subject to inspection at all times by DFS, the Department of Environmental Protection, the Department of Health, and local government inspectors. (Section [12](#)).

The bill prohibits natural organic reduction facilities from placing more than one dead human body in an organic human reduction container at one time, unless the facility has received written permission from a legally authorized person for each body. (Section [12](#)).

Natural organic reduction required procedures

The bill requires the legally authorized person to give written authorization prior to the natural organic reduction. A legally authorized person must designate her or his intentions with respect to the disposition of the reduced remains in a signed declaration of intent. (Section [14](#)).

The bill requires a natural organic reduction to be initiated within 48 hours after a specific time which has been agreed to in writing by the legally authorized person. (Section [14](#)).

The bill provides that reduced remains are not property under the Florida Probate Code, and are not subject to partition for purposes of distribution.³ Under the bill, a division of reduced remains requires consent of the legally authorized person. (Section [14](#)).

The bill provides that a funeral establishment making arrangements for a reduction shall not be responsible for or take possession of unclaimed reduced remains. (Section [14](#)).

The bill provides that if reduced remains have not been claimed after 120 days, the funeral establishment may dispose of the reduced remains. (Section [14](#)).

The bill requires that after completion of the reduction process, the reduced remains must be pulverized until no single fragment is recognizable as skeletal tissue. The pulverized remains are then required to be transferred to a container or multiple containers, if requested by the legally authorized person, and then delivered to the legally authorized person or otherwise disposed of. (Section [14](#)).

Decrease of the wait time period for disposal of cremated remains

The bill decreases the amount of time that a funeral or direct disposal establishment must wait before disposing of cremated remains that have not been claimed from 120 days to 90 days. (Section [13](#)).

Insurable interest consent

The bill excludes preneed contracts from the requirement that insured persons apply for and consent to contract terms. (Section [15](#)).

Effective date:

The bill provides an effective date of July 1, 2026. (Section [16](#)).

RULEMAKING:

The bill permits the Board of Funeral, Cemetery, and Consumer Services to adopt rules to implement the provisions related to permitting notices on unfilled preneed contracts and permits the Board to adopt rules and regulations to provide for the sanitary disposal of human remains by natural organic reduction. The bill requires

³ See [Ss. 731.201\(32\), F.S.](#) and [733.814, F.S.](#)

DFS, the Department of Health, and the Department of Environmental Protection to adopt rules establishing health and environmental inspection standards for natural organic reduction facilities.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

The bill may have a positive fiscal impact on the private sector by reducing the licensing requirements to obtain a funeral director intern license and a combination funeral director and embalmer intern license. The bill may also have a positive fiscal impact by reducing the requirements to obtain licensure by endorsement for embalmer licenses, funeral director licenses, and combination funeral director and embalmer licenses. The bill may also have a positive fiscal impact by creating a new market for natural organic reduction facilities.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Florida Funeral, Cemetery, and Consumers Services Act](#)

Chapter 497, F.S., known as the Florida Funeral, Cemetery, and Consumer Services Act (“FFCCSA”), regulates funeral and cemetery services.⁴ The FFCCSA authorizes the Board of Funeral, Cemetery, and Consumer Services (“Board”) within the Department of Financial Services (“DFS”) to regulate cemeteries, columbaria,⁵ cremation services, mausoleums, cemetery companies, dealers and monument builders, funeral directors, and funeral establishments.⁶ The Board oversees licensing and rulemaking for the death care industry, including examinations and facility standards.⁷ The death care industry includes the following individuals and entity licenses:

- Brokers of burial rights
- Cemeteries
- Central embalming facilities
- Cinerator facilities
- Direct disposer and direct disposal establishments
- Embalmers (including apprentices, interns, and by endorsement)
- Funeral directors and funeral establishments (including interns and by endorsement)
- Preneed, preneed branches, and preneed sales agents
- Monument establishments and monument establishment sales agents
- Refrigeration facilities
- Removal services
- Training facilities⁸

⁴ [S. 497.001, F.S.](#)

⁵ “Columbarium” means a structure or building that is substantially exposed above the ground and that is intended to be used for the inurnment of cremated remains. [S. 497.005\(18\), F.S.](#)

⁶ See [Ss. 497.101, F.S.](#) and [479.103, F.S.](#)

⁷ *Id.*

⁸ Funeral, Cemetery, and Consumer Services, *Who We Regulate*, <https://myfloridacfo.com/division/funeralcemetery/who-we-regulate> (last visited Jan. 30, 2026).

Solicitation

The FFCCSA authorizes the Board to regulate solicitation of sales of burial rights, merchandise, or services by licensees.⁹ The Board is required to regulate such solicitation to protect the public from solicitation which:

- is intimidating, overreaching, fraudulent, or misleading;
- utilizes undue influence; or
- takes undue advantage of a person's ignorance or emotional vulnerability.¹⁰

Currently, the FFCCSA does not prohibit funeral homes, burial service providers, and other similar licensed providers from contracting to become the exclusive or sole provider of funeral, burial, cremation, refrigeration, embalming, or removal services for medical providers, hospices, or similar end-of-life care providers.¹¹

Cemetery regulation

The FFCCSA defines "cemetery" as a place dedicated to and used or intended to be used for the permanent interment of human remains or cremated remains. A cemetery may contain land or earth interment; mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated remains; or any combination of one or more of such structures or places.¹²

Under current law, cemeteries must contain at least 30 contiguous acres.¹³ Cemetery applications must state the exact number of acres in a proposed cemetery.¹⁴ Further, cemeteries must contain at least 30 contiguous acres to be sold, conveyed, or disposed of.¹⁵

Embalmers

Embalming is the disinfecting or preserving or attempting to disinfect or preserve dead human bodies by replacing certain body fluids with preserving and disinfecting chemicals.¹⁶ To be licensed as an embalmer in Florida, an applicant must:

- Complete coursework in mortuary science;
- Complete coursework in communicable diseases;
- Complete a one-year internship under a licensed embalmer;
- Pass a written exam on the disposal of dead bodies;
- Pass a licensing exam;
- Submit fingerprints for a background check; and
- Submit an application and pay a \$200 application fee.¹⁷

⁹ [S. 497.164, F.S.](#)

¹⁰ *Id.*

¹¹ See [Ch. 497, F.S.](#)

¹² [S. 497.005\(13\), F.S.](#)

¹³ [S. 497.263, F.S.](#)

¹⁴ *Id.*

¹⁵ [S. 497.270\(2\), F.S.](#)

¹⁶ [S. 497.005, F.S.](#)

¹⁷ [S. 497.368, F.S.](#)

Applicants licensed as an embalmer in another state may seek licensure by endorsement. There are two distinct endorsement pathways:

Option One: The applicant must hold a valid embalmer license in good standing issued by another U.S. state and have engaged in the full-time practice of embalming for at least five years in that state and:

- Provide documentation showing coursework in communicable diseases;
- Pass a written exam on the disposal of dead bodies;
- Submit fingerprints for a background check; and
- Submit an application and pay a \$200 application fee.¹⁸

Option Two: The applicant must:

- Have practiced as a licensed embalmer for at least one year;
- Have passed a state, regional, or national licensing exam during the 10 years prior to application deemed to be at least as rigorous as Florida's;
- Provide documentation showing coursework in communicable diseases;
- Pass a written exam on the disposal of dead bodies;
- Submit fingerprints for a background check; and
- Submit an application and pay a \$200 application fee.¹⁹

Funeral Directors

Persons who sell and make financial arrangements for funeral services (including the disposition of human remains through embalming, cremation or other means) must be licensed as funeral directors and be affiliated with a licensed funeral establishment.²⁰ To be licensed as a funeral director, an applicant must:

- Submit an application and pay a \$200 application fee;
- Submit fingerprints for a background check;
- Have an associates' degree in mortuary science or an associates' degree in another subject and also have completed an approved course of study in mortuary science;
- Complete a course on communicable diseases;
- Complete a one-year internship under a licensed funeral director;
- Pass an exam on the disposal of dead bodies; and
- Pass a licensing exam.²¹

Applicants licensed as a funeral director in another state may seek licensure by endorsement. There are two distinct endorsement pathways:

Option One: The applicant must hold a valid funeral director license in good standing issued by another U.S. state and have engaged in the full-time practice of funeral directing for at least five years in that state and:

- Complete coursework in communicable diseases;
- Pass a written exam on the disposal of dead bodies;
- Submit fingerprints for a background check;
- Submit an application and pay a \$200 application fee.²²

¹⁸ [S. 497.369, F.S.](#)

¹⁹ *Id.*

²⁰ [S. 497.372, F.S.](#)

²¹ [S. 497.373, F.S.](#)

²² [S. 497.374, F.S.](#)

Option Two: The applicant must have completed a licensing exam in another state that is substantially equivalent or more stringent than the licensing exam in Florida, and:

- Hold an associate's degree or higher or a certificate from an accredited program in mortuary science;
- Complete coursework in communicable diseases;
- Complete a one-year internship under a licensed funeral director;
- Pass a written exam on the disposal of dead bodies;
- Submit fingerprints for a background check; and
- Submit an application and pay a \$200 application fee.²³

Combination embalmers and funeral directors

The FFCCSA permits persons to hold licenses in both embalming and funeral directing at the same time.²⁴

Applicants seeking licensure by endorsement for a combination license must satisfy the educational requirements for funeral directors which include:

- Holding an associate degree or higher in mortuary science; or
- Holding an associate degree or higher from an accredited college or university and has completed an approved mortuary science or funeral service arts program at an institution accredited by the American Board of Funeral Service Education.²⁵

Licensure requirements for funeral director interns

Funeral director interns must apply for and obtain a license.²⁶ To become an intern, applicants must meet one of the following two educational credentials:

- Holds an associate degree or higher in mortuary science; or
- Hold an associate degree or higher from an accredited college or university and complete an approved mortuary science or funeral service arts program at an institution accredited by the American Board of Funeral Service Education.²⁷

An individual who does not yet meet those requirements may still qualify for an intern license if the individual:

- Holds at least an associate degree or higher in any field from an accredited college or university;
- Is enrolled in and attending an approved mortuary science or funeral service education program; and
- Successfully completed college-level coursework in funeral or mortuary law and ethics.²⁸

Licensure requirements for combination funeral director and embalmer interns

Applicants seeking a combination funeral directing and embalming internship license must meet the education requirements for a combination funeral directing and embalming license.²⁹ Applicants who have not yet completed the requirements can still obtain a license as an intern if the applicant:

- Is currently enrolled in and attending a college accredited by the American Board of Funeral Service Education ("ABFSE") in a course of study in mortuary science accredited by ABFSE;
- Completed at least 75 percent of the course of study in mortuary science as certified by the college in which the applicant is currently enrolled; and
- Received a passing grade in a college credit course in mortuary law or funeral service law and received a passing grade in a college credit course in ethics.³⁰

²³ *Id.*

²⁴ [S. 497.376, F.S.](#)

²⁵ [Ss. 497.376, F.S.](#) and [497.375, F.S.](#)

²⁶ [S. 497.375, F.S.](#)

²⁷ [S. 497.375, F.S.](#)

²⁸ *Id.*

²⁹ [S. 497.377, F.S.](#)

³⁰ *Id.*

Storage of human remains

A person may not store or maintain human remains at any establishment or facility except an establishment or facility licensed under the FFCCSA or a health care facility, medical examiner's facility, morgue, or cemetery holding facility.³¹

If a legally authorized person fails to claim or direct disposition of human remains, the remains are treated as unclaimed, and the person or entity in possession must immediately notify the Anatomical Board of the State headquartered at the University of Florida Health Science Center.³² and make reasonable efforts to identify and notify relatives.³³ In the absence of available family, a licensed funeral director may assume the role of a legally authorized person after 24 hours have elapsed since the time of death, in order to embalm, store, and deliver unclaimed remains to the Anatomical Board.³⁴ Unclaimed remains must be delivered to the Anatomical Board as soon as possible after death.³⁵

If the Anatomical Board does not accept the unclaimed remains, the board of county commissioners or its designated county department for the county in which the death occurred or the remains were found may authorize and arrange for the burial or cremation of the human remains.³⁶

Preneed contracts

A preneed contract is an arrangement or method for which the provider of funeral merchandise or services receives any payment in advance for funeral or burial merchandise and services after the death of the contract beneficiary.³⁷

If any obligation of the preneed contract remains unfulfilled under certain conditions, a preneed licensee must provide to the purchaser of the contract or the legally authorized beneficiary of the contract written notice of the preneed licensee's intent to distribute funds in accordance with the terms of the preneed contract.³⁸ The notice must be provided by certified mail, registered mail, or permitted delivery service.³⁹

Natural organic reduction

Natural organic reduction facilities are facilities with specialized tanks, containers, or similar vessels that convert human remains to nutrient-rich soil.⁴⁰ The reduction process involves the human remains being placed into the

³¹ [S. 497.386, F.S.](#)

³² The Anatomical Board of the State of Florida is a nonprofit state organization responsible for receiving, preparing (embalming), storing and distributing donations of human cadavers used in medical education and research programs throughout the state. Anatomical Board of the State of Florida, *About the Anatomical Board*, <https://anatbd.acb.med.ufl.edu/> (last visited Jan. 31, 2026).

³³ [S. 406.50, F.S.](#)

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ [S. 497.005, F.S.](#)

³⁸ [S. 497.459, F.S.](#)

³⁹ *Id.*

⁴⁰ *Id.*

container, tank, or vessel together with straw, wood chips, and other natural materials for around four to six weeks.⁴¹

Once the body is in the container, tank, or vessel, oxygen flows through stimulating microbes in the remains that transform the remains into soil.⁴² The facilities then return the soil to a designated person, such as a loved one of the deceased, and can be used for planting.⁴³

As of September 2025, natural organic reduction is legal in fourteen states.⁴⁴

Wait time for disposing of cremated remains

With respect to any person who intends to provide for the cremation of the deceased, if, after a period of 120 days from the time of cremation the cremated remains have not been claimed, the funeral or direct disposal establishment may dispose of the cremated remains.⁴⁵

Insurable interest contracts

Except for group life or group accident, health, or disability insurance, an insurance policy on an individual's life may not be issued unless the individual being insured provides written consent to the policy and its terms at or before issuance.⁴⁶ An exception applies to insurance on the life of a child under age 15, which may be issued without the child's written consent if the applicant has an insurable interest in the child or in a person upon whom the child depends for support.⁴⁷

⁴¹ Natural Funeral Directors Association, *Natural Organic Reduction*, <https://nfd.org/resources/alternative-disposition/natural-organic-reduction> (last visited Feb. 3, 2026).

⁴² Return Home, <https://returnhome.com/> (last visited Feb. 4, 2026).

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ [S. 497.607, F.S.](#)

⁴⁶ [S. 627.404, F.S.](#)

⁴⁷ *Id.*

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Insurance & Banking Subcommittee	15 Y, 0 N, As CS	2/3/2026	Brackett	Highsmith
THE CHANGES ADOPTED BY THE COMMITTEE:		<ul style="list-style-type: none"> • Amended the definition of “cremation” to include natural organic reduction. • Defined “natural organic reduction” and “natural organic reduction facility.” • Removed provisions that would have limited causes of action arising out of violations of the Florida Funeral, Cemetery, and Consumer Services Act. • Removed a provision that prohibited the issuance of new direct disposer licenses and new direct disposal establishment licenses after a specified date. • Created a licensing framework and application process for natural organic reduction facilities. • Explicitly authorized natural organic reduction of human remains and establishes required procedures governing such reduction of human remains. 		
Commerce Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
