

By Senator Truenow

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A bill to be entitled
An act relating to funeral, cemetery, and consumer services; amending s. 497.164, F.S.; prohibiting a licensee of funeral or cemetery services from entering into certain contracts, agreements, or arrangements; amending s. 497.169, F.S.; limiting the total liability for damages for certain civil actions against a person or company licensed under ch. 497, F.S.; amending s. 497.263, F.S.; revising the procedures for applicants seeking a cemetery license; amending s. 497.270, F.S.; conforming a provision to changes made by the act; amending s. 497.369, F.S.; revising the requirements for an applicant seeking licensure by endorsement to be an embalmer; amending s. 497.374, F.S.; revising the requirements for an applicant seeking licensure by endorsement to be a funeral director; amending s. 497.375, F.S.; deleting an exception to the educational requirements for an applicant seeking licensure to be a funeral director; amending s. 497.376, F.S.; revising the requirements for an applicant seeking a license by endorsement as a combination funeral director and embalmer; amending s. 497.377, F.S.; revising the educational requirements for licensure to be a combination funeral director and embalmer intern; amending s. 497.386, F.S.; authorizing a licensee or a licensed facility to dispose of human remains in a specified manner if the legally authorized person of the decedent fails, neglects, or refuses to direct the disposition;

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providing that the licensee or licensed facility is not liable for any action arising out of such disposal; amending s. 497.459, F.S.; revising the method in which a preneed licensee must send written notice to cancel a preneed contract; authorizing the Board of Funeral, Cemetery, and Consumer Services to adopt rules; amending s. 497.602, F.S.; prohibiting the Department of Financial Services from accepting applications and issuing licenses for direct disposers after a specified date; authorizing a person licensed before the specified date to continue to practice as a direct disposer by renewing his or her license; deleting the application procedures to become a licensed direct disposer; deleting responsibilities of the licensing authority issuing a direct disposer license; amending s. 497.604, F.S.; revising an exception to the prohibition against a person opening or maintaining an establishment in which he or she holds himself or herself out as a direct disposer; prohibiting the department from accepting applications and issuing licenses for direct disposal establishments after a specified date; authorizing a person licensed before the specified date to continue to practice by renewing his or her license; deleting application requirements; requiring the location of direct disposition to be used solely for the business of the establishment; conforming provisions to changes made by the act; making technical changes; amending s. 497.607, F.S.; revising the timeframe after which a

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funeral or direct disposal establishment may dispose of cremated remains if the remains have not been claimed; amending s. 627.404, F.S.; revising the exceptions to the prohibition relating to personal insurance; reenacting s. 497.260(5), F.S., relating to cemeteries, exemptions, investigations, and mediation, to incorporate the amendment made to s. 497.263, F.S., in a reference thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (6) is added to section 497.164, Florida Statutes, to read:

497.164 Solicitation of goods or services.—

(6) A licensee under this chapter may not enter into a contract, agreement, or other arrangement in which that licensee or any affiliated licensee becomes the exclusive or sole provider of funeral, cremation, refrigeration, or removal services for any entity that provides medical, palliative, or other end-of-life care and services to the general public.

Section 2. Present subsections (2) and (3) of section 497.169, Florida Statutes, are redesignated as subsections (3) and (4), respectively, a new subsection (2) is added to that section, and subsection (1) of that section is amended, to read:

497.169 Private actions; actions on behalf of consumers; attorney's fee.—

(1) Notwithstanding s. 497.157, the Attorney General, or the department on behalf of ~~Florida~~ residents of this state, or any person may bring a civil action against a person or company

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violating ~~the provisions of~~ this chapter in the appropriate court of the county in which the alleged violator resides or has her or his or its principal place of business or in the county wherein the alleged violation occurred. Upon adverse adjudication, the defendant is ~~shall be~~ liable for actual damages caused by such violation. The court may, as provided by common law, award punitive damages and may provide such equitable relief as it deems proper or necessary, including enjoining the defendant from further violations of this chapter.

(2) The total liability for damages in any civil action for negligence brought against a person or company licensed pursuant to this section may not exceed \$200,000.

Section 3. Paragraph (g) of subsection (2) of section 497.263, Florida Statutes, is amended to read:

497.263 Cemetery companies; license required; licensure requirements and procedures.—

(2) APPLICATION PROCEDURES.—

(g) The proposed cemetery must contain at least 30 ~~contiguous~~ acres. Such acreage must be contiguous, except that parcels of land divided solely by a public right-of-way or public road may be considered contiguous, provided the parcels are in close geographic proximity and form a unified cemetery property. The application must state the exact number of acres in the proposed cemetery and must identify any public rights-of-way or roads dividing the parcels. Parcels located in separate or distant geographic areas, even if along the same roadway or corridor, do not satisfy the contiguity requirement of this paragraph ~~The application shall state the exact number of acres in the proposed cemetery.~~

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Section 4. Subsection (2) of section 497.270, Florida Statutes, is amended to read:

497.270 Minimum acreage; sale or disposition of cemetery lands.—

(2) Any lands owned by a licensee and dedicated for use by it as a cemetery, which meet the criteria set forth in s. 497.263(2)(g) ~~are in excess of a minimum of 30 contiguous acres,~~ may be sold, conveyed, or disposed of by the licensee, after obtaining written approval pursuant to procedures and using ~~utilizing~~ forms specified by rule and consistent with subsection (3), for use by the new owner for other purposes than as a cemetery. All of the human remains which have been previously interred therein must ~~shall~~ first be ~~have been~~ removed from the lands proposed to be sold, conveyed, or disposed of; however, ~~the provisions of~~ ss. 497.152(8)(e) and 497.384 must be complied with before ~~prior to~~ any disinterment of human remains. ~~Any and~~ All titles, interests, or burial rights which may have been sold or contracted to be sold in lands which are the subject of the sale must ~~shall~~ be conveyed to and revested in the licensee before ~~prior to~~ consummation of any such sale, conveyance, or disposition.

Section 5. Subsection (4) of section 497.369, Florida Statutes, is amended to read:

497.369 Embalmers; licensure as an embalmer by endorsement; licensure of a temporary embalmer.—

(4) Each applicant for licensure by endorsement shall ~~must~~ pass the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies ~~which is~~ required under s. 497.368 and which shall be given by the

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licensing authority. Licensure by endorsement under subparagraph (1)(b)1. does not require any educational or testing requirements other than those required in this subsection.

Section 6. Subsection (4) of section 497.374, Florida Statutes, is amended to read:

497.374 Funeral directing; licensure as a funeral director by endorsement; licensure of a temporary funeral director.—

(4) Each applicant for licensure by endorsement shall ~~must~~ pass the examination on local, state, and federal laws and rules relating to the disposition of dead human bodies ~~which is~~ required under s. 497.373 and which shall be given by the licensing authority. Licensure by endorsement under subparagraph (1)(b)1. does not require education or testing requirements other than those required in s. 497.373(2)(b).

Section 7. Paragraph (b) of subsection (1) of section 497.375, Florida Statutes, is amended to read:

497.375 Funeral directing; licensure of a funeral director intern.—

(1)

(b)1. Except as provided in subparagraph 2., an applicant must hold the educational credentials required for licensure of a funeral director under s. 497.373(1)(d).

2. An applicant who has not completed the educational credentials required for a funeral director license is eligible for licensure as a funeral director intern if the applicant:

a. Holds 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.

b. Is currently enrolled in and attending a licensing

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175 authority-approved course of study in mortuary science or
176 funeral service arts required for licensure of a funeral
177 director under s. 497.373(1)(d)2.

178 ~~e. Has taken and received a passing grade in a college~~
179 ~~credit course in mortuary law or funeral service law and has~~
180 ~~taken and received a passing grade in a college credit course in~~
181 ~~ethics.~~

182 Section 8. Subsection (3) is added to section 497.376,
183 Florida Statutes, to read:

184 497.376 License as funeral director and embalmer
185 permitted.—

186 (3) An applicant for a combination license by endorsement
187 as a funeral director and embalmer under s. 497.373 and s.
188 497.369, respectively, is not required to meet any educational
189 or testing requirements other than those in ss. 497.373(2)(b)
190 and 497.369(4).

191 Section 9. Paragraph (a) of subsection (2) of section
192 497.377, Florida Statutes, is amended to read:

193 497.377 Combination funeral director and embalmer
194 internships.—

195 (2)(a) An applicant who has not completed the educational
196 credentials required for a combination license as both funeral
197 director and embalmer is eligible for licensure as a combination
198 funeral director and embalmer intern if the applicant:

199 1. Holds an associate degree or higher in any field from a
200 college or university accredited by a regional accrediting
201 agency recognized by the United States Department of Education;
202 or

203 2. Is currently enrolled in and attending a college

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204 accredited by the American Board of Funeral Service Education
205 (ABFSE) in a course of study in mortuary science accredited by
206 ABFSE.

207 ~~2. Has completed at least 75 percent of the course of study~~
208 ~~in mortuary science as certified by the college in which the~~
209 ~~applicant is currently enrolled.~~

210 ~~3. Has taken and received a passing grade in a college~~
211 ~~credit course in mortuary law or funeral service law and has~~
212 ~~taken and received a passing grade in a college credit course in~~
213 ~~ethics.~~

214 Section 10. Present subsections (6) and (7) of section
215 497.386, Florida Statutes, are redesignated as subsections (7)
216 and (8), respectively, and a new subsection (6) is added to that
217 section, to read:

218 497.386 Storage, preservation, and transportation of human
219 remains.—

220 (6) If any human remains have been in the lawful possession
221 of any licensee or licensed facility for 90 days or more, and
222 the legally authorized person of the decedent fails, neglects,
223 or refuses to direct the disposition, the licensee or licensed
224 facility may dispose of the human remains. Any licensee or
225 licensed facility who disposes of human remains pursuant to this
226 subsection may not be held liable for any action arising out of
227 such disposal.

228 Section 11. Paragraph (b) of subsection (7) of section
229 497.459, Florida Statutes, is amended to read:

230 497.459 Cancellation of, or default on, preneed contracts;
231 required notice.—

232 (7) NOTICE TO PURCHASER OR LEGALLY AUTHORIZED PERSON.—

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(b)1. The notice in paragraph (a) must be provided by certified mail, registered mail, or permitted delivery service, ~~return receipt requested~~, to the last known e-mail or mailing address of the purchaser or the beneficiary's legally authorized person, whichever is applicable, as provided to the preneed licensee. If the notice is returned as undeliverable within 30 calendar days after the preneed licensee sent the notice, the trustee must ~~shall~~ perform a diligent search and inquiry to obtain a different e-mail or mailing address for the purchaser or the beneficiary's legally authorized person, whichever is applicable. The board may adopt rules to implement this subparagraph ~~For purposes of this subparagraph, any address known and used by the purchaser or the beneficiary's legally authorized person, whichever is applicable, for sending regular mailings or other communications from the purchaser or the beneficiary's legally authorized person, whichever is applicable, to the preneed licensee or any address produced through a current address service or searchable database shall be included with other addresses produced from the diligent search and inquiry, if any. If the trustee's diligent search and inquiry produces an address different from the notice address, the trustee shall mail a copy of the notice by certified mail, registered mail, or permitted delivery service, return receipt requested, to any and all addresses produced as a result of the diligent search and inquiry.~~

2. If the purchaser or the beneficiary's legally authorized person, whichever is applicable, fails to respond to such notice within 120 days after delivery of the last mailed notice under subparagraph 1., the funds held in trust must be distributed in

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accordance with the terms of the preneed contract, the trust agreement, and any applicable provisions of chapter 717.

Section 12. Section 497.602, Florida Statutes, is amended to read:

497.602 Direct disposers; barring applications and licenses, license required; licensing procedures and criteria; regulation.—Effective July 1, 2026, applications may not be submitted to, and licenses may not be issued by, the department for direct disposers. However, a person licensed as a direct disposer before July 1, 2026, may continue to practice as such, provided the person continues to renew their direct disposer license pursuant to s. 497.603.

~~(1) LICENSE REQUIRED.—Any person who is not a licensed funeral director and who engages in the practice of direct disposition must be licensed pursuant to this section as a direct disposer.~~

~~(2) APPLICATION PROCEDURES.—~~

~~(a) A person seeking licensure as a direct disposer shall apply for such licensure using forms prescribed by rule.~~

~~(b) The application shall require the name, residence address, date and place of birth, and social security number of the applicant.~~

~~(c) The application may require information as to the educational and employment history of the applicant.~~

~~(d) The applicant shall be required to make disclosure of the applicant's criminal records, if any, as required by s. 497.142.~~

~~(e) The application shall require the applicant to disclose whether the applicant has ever had a license or the authority to~~

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291 ~~practice a profession or occupation refused, suspended, fined,~~
292 ~~denied, or otherwise acted against or disciplined by the~~
293 ~~licensing authority of any jurisdiction. A licensing authority's~~
294 ~~acceptance of a relinquishment of licensure, stipulation,~~
295 ~~consent order, or other settlement, offered in response to or in~~
296 ~~anticipation of the filing of charges against the license, shall~~
297 ~~be construed as action against the license.~~

298 ~~(f) The applicant shall submit fingerprints in accordance~~
299 ~~with s. 497.142.~~

300 ~~(g) The application shall require the applicant to~~
301 ~~demonstrate that the applicant does, or will before commencing~~
302 ~~operations under the license, comply with all requirements of~~
303 ~~this chapter relating to the licensure applied for.~~

304 ~~(h) The application shall be signed by the applicant.~~

305 ~~(i) The application shall be accompanied by a nonrefundable~~
306 ~~fee of \$300. The licensing authority may from time to time~~
307 ~~increase the fee by rule but not to exceed more than \$500. A~~
308 ~~member of the United States Armed Forces, such member's spouse,~~
309 ~~and a veteran of the United States Armed Forces who separated~~
310 ~~from service within the 2 years preceding application for~~
311 ~~licensure are exempt from the application fee. To qualify for~~
312 ~~the application fee exemption, an applicant must provide a copy~~
313 ~~of a military identification card, military dependent~~
314 ~~identification card, military service record, military personnel~~
315 ~~file, veteran record, discharge paper, or separation document~~
316 ~~that indicates such member is currently in good standing or such~~
317 ~~veteran was honorably discharged.~~

318 ~~(3) ACTION CONCERNING APPLICATIONS. A duly completed~~
319 ~~application for licensure under this section, accompanied by the~~

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~~required fees, shall be approved if the licensing authority determines that the following conditions are met:~~

~~(a) The applicant is a natural person at least 18 years of age and a high school graduate or equivalent.~~

~~(b) The applicant has taken and received a passing grade in a college credit course in mortuary law and has taken and received a passing grade in a college credit course in ethics.~~

~~(c) The applicant has completed a course on communicable diseases approved by the licensing authority.~~

~~(d) The applicant has passed an examination prepared by the department on the local, state, and federal laws and rules relating to the disposition of dead human bodies.~~

~~(e) The applicant does or will prior to commencing operations under the license comply with all requirements of this chapter relating to the license applied for.~~

~~(f) The applicant is of good character and has no demonstrated history of lack of trustworthiness or integrity in business or professional matters.~~

~~(4) ISSUANCE OF LICENSE. Upon approval of the application by the licensing authority, the license shall be issued. The licensing authority shall recognize military issued credentials relating to funeral and cemetery services for purposes of licensure as a direct disposer. A member of the United States Armed Forces and a veteran of the United States Armed Forces seeking licensure as a direct disposer under this section shall submit to the licensing authority a certification that the military issued credential reflects knowledge, training, and experience substantially similar to the requirements of this chapter for licensure as a direct disposer. The licensing~~

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~~authority shall adopt rules specifying forms and procedures to be used by members and veterans of the United States Armed Forces seeking licensure under this section. The licensing authority may conduct investigation and further inquiry of any person regarding any military issued credential sought to be recognized.~~

Section 13. Section 497.604, Florida Statutes, is amended to read:

497.604 Direct disposal establishments, license required; prohibition of applications and licenses ~~licensing procedures and criteria; license renewal; regulation; display of license.~~

(1) LICENSE REQUIRED.—A direct disposer may ~~shall~~ practice only at a direct disposal establishment which has been licensed under this section and which may be a cinerator facility licensed under s. 497.606. A ~~No~~ person may not open or maintain an establishment at which to engage in or hold herself or himself out as engaging in the practice of direct disposition unless such establishment is licensed pursuant to this section before July 1, 2026.

(2) APPLICATION AND LICENSING BARRED PROCEDURES.—Effective July 1, 2026, applications may not be submitted to, and licenses may not be issued by, the department for direct disposal establishments. However, a person licensed as a direct disposal establishment before July 1, 2026, may continue to practice as such, provided the person continues to renew his or her direct disposal establishment license pursuant to subsection (3).

~~(a) A person seeking licensure as a direct disposal establishment shall apply for such licensure using forms prescribed by rule.~~

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~~(b) The application shall require the name, business address, residence address, date and place of birth or incorporation, and business phone number, of the applicant and all principals of the applicant. The application shall require the applicant's social security number or, if the applicant is an entity, its federal tax identification number.~~

~~(c) The application shall name the licensed direct disposer or licensed funeral director acting as the direct disposer in charge of the direct disposal establishment.~~

~~(d) The application may require information as to the applicant's financial resources.~~

~~(e) The application may require information as to the educational and employment history of an individual applicant; and as to applicants that are not natural persons, the business and employment history of the applicant and principals of the applicant.~~

~~(f) The applicant shall be required to make disclosure of the applicant's criminal records, if any, as required by s. 497.142.~~

~~(g) The application shall require the applicant to disclose whether the applicant or any of the applicant's principals including its proposed supervising licensee has ever had a license or the authority to practice a profession or occupation refused, suspended, fined, denied, or otherwise acted against or disciplined by the licensing authority of any jurisdiction. A licensing authority's acceptance of a relinquishment of licensure, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of charges against the license, shall be construed as action~~

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407 ~~against the license.~~

408 ~~(h) The applicant shall submit fingerprints in accordance~~
409 ~~with s. 497.142.~~

410 ~~(i) The application shall require the applicant to~~
411 ~~demonstrate that the applicant does, or will before commencing~~
412 ~~operations under the license, comply with all requirements of~~
413 ~~this chapter relating to the licensure applied for.~~

414 ~~(j) The application shall be signed in accordance with s.~~
415 ~~497.141(12).~~

416 ~~(k) The application shall be accompanied by a nonrefundable~~
417 ~~fee of \$300. The licensing authority may from time to time by~~
418 ~~rule increase the fee but not to exceed \$500.~~

419 ~~(3) ACTION CONCERNING APPLICATIONS. A duly completed~~
420 ~~application for licensure under this section, accompanied by the~~
421 ~~required fee, shall be approved if the licensing authority~~
422 ~~determines that the following conditions are met:~~

423 ~~(a) The applicant is a natural person at least 18 years of~~
424 ~~age, a corporation, a partnership, or a limited liability~~
425 ~~company.~~

426 ~~(b) The applicant does or will prior to commencing~~
427 ~~operations under the license comply with all requirements of~~
428 ~~this chapter relating to the license applied for. The applicant~~
429 ~~shall have passed an inspection prior to issuance of a license~~
430 ~~under this section, in accordance with rules of the licensing~~
431 ~~authority.~~

432 ~~(c) The applicant and the applicant's principals are of~~
433 ~~good character and have no demonstrated history of lack of~~
434 ~~trustworthiness or integrity in business or professional~~
435 ~~matters.~~

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436 ~~(4) ISSUANCE OF LICENSE. Upon approval of the application~~
437 ~~by the licensing authority, the license shall be issued.~~

438 ~~(5) PROBATIONARY STATUS. It is the policy of this state to~~
439 ~~encourage competition for the public benefit in the direct~~
440 ~~disposal establishment business by, among other means, the entry~~
441 ~~of new licensees into that business. To facilitate issuance of~~
442 ~~licenses concerning applications judged by the licensing~~
443 ~~authority to be borderline as to qualification for licensure,~~
444 ~~the licensing authority may issue a new license under this~~
445 ~~section on a probationary basis, subject to conditions specified~~
446 ~~by the licensing authority on a case-by-case basis, which~~
447 ~~conditions may impose special monitoring, reporting, and~~
448 ~~restrictions on operations for up to the first 24 months of~~
449 ~~licensure, to ensure the licensee's responsiveness, competency,~~
450 ~~financial stability, and compliance with this chapter. However,~~
451 ~~no such probationary license shall be issued unless the~~
452 ~~licensing authority determines that issuance would not pose an~~
453 ~~unreasonable risk to the public, and the licensing authority~~
454 ~~must within 24 months after issuance of the license either~~
455 ~~remove the probationary status or determine that the licensee is~~
456 ~~not qualified for licensure under this chapter and institute~~
457 ~~proceedings for revocation of licensure.~~

458 (3)~~(6)~~ RENEWAL OF LICENSE.—A direct disposal establishment
459 license shall be renewed biennially pursuant to schedule, forms,
460 and procedures and upon payment of a fee of \$200. The licensing
461 authority may from time to time increase the fee by rule but not
462 to exceed \$400.

463 (4)~~(7)~~ CHANGES SUBSEQUENT TO LICENSURE.—Each licensee under
464 this section shall provide notice as required by rule prior to

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any change in location or control of the licensee or licensed person in charge of the licensee's operations. A change in control is subject to approval by the licensing authority and to reasonable conditions imposed by the licensing authority, for the protection of the public to ensure compliance with this chapter. Operations by the licensee at a new location may not commence until an inspection by the licensing authority of the facilities at the new location, pursuant to rules of the licensing authority, has been conducted and passed.

(5)~~(8)~~ SUPERVISION OF FACILITIES.—

(a) Each direct disposal establishment shall have a funeral director in charge, subject to s. 497.380(7). However, a licensed direct disposer may continue acting as the direct disposer in charge if, as of September 30, 2010:

1. The direct disposal establishment and the licensed direct disposer both have active, valid licenses.

2. The licensed direct disposer is currently acting as the direct disposer in charge of the direct disposal establishment.

3. The name of the licensed direct disposer was included~~, as required in paragraph (2)(c),~~ in the direct disposal establishment's most recent application for ~~issuance or~~ renewal of its license or was included in the establishment's notice of change provided under subsection (4)~~(7)~~.

(b) The funeral director in charge or direct disposer in charge of a direct disposal establishment must be reasonably available to the public during normal business hours for the establishment. The funeral director in charge or direct disposer in charge of the establishment is responsible for making sure the facility, its operations, and all persons employed in the

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facility comply with all applicable state and federal laws and rules. A funeral director in charge, with appropriate, active licenses, may serve as a funeral director in charge for not more than a total of two of the following: funeral establishments, centralized embalming facilities, direct disposal establishments, or cinerator facilities, as long as the two locations are not more than 75 miles apart as measured in a straight line.

~~(6)(9)~~ REGULATION OF DIRECT DISPOSAL ESTABLISHMENTS.—

(a) There shall be established by rule standards for direct disposal establishments, including, but not limited to, requirements for refrigeration and storage of dead human bodies.

(b) The practice of direct disposition must be engaged in at a fixed location of at least 625 contiguous interior ~~contiguous~~ square feet, to be used solely for the business of the establishment, and must maintain or make arrangements for suitable capacity for the refrigeration and storage of dead human bodies handled and stored by the establishment.

(c) Each direct disposal establishment is ~~shall~~ at all times ~~be~~ subject to the inspection of all its buildings, grounds, and vehicles used in the conduct of its business, by the department, the Department of Health, and local government inspectors and by their agents. Rules must ~~There shall~~ be adopted to ~~rules which~~ establish such inspection requirements. ~~There shall be adopted by rule of~~ The licensing authority shall charge an annual inspection fee not to exceed \$300, payable ~~upon issuance of license and~~ upon each renewal of such license.

(d) Each direct disposal establishment must display at the public entrance the name of the establishment and the name of

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the licensed direct disposer or licensed funeral director acting as the direct disposer in charge of the establishment. A direct disposal establishment must transact its business under the name by which it is licensed.

(e) A direct disposal establishment may not be operated at the same location as any other direct disposal establishment or funeral establishment unless such establishments were licensed as colocated establishments on July 1, 2000.

(f) A direct disposal establishment shall retain all signed contracts for a period of at least 2 years.

(7) ~~(10)~~ DISPLAY OF LICENSE.—

(a) A direct disposal ~~disposer~~ establishment and each direct disposer, or funeral director acting as a direct disposer, employed at the establishment must display their current licenses in a conspicuous place within the establishment in such a manner as to make the licenses visible to the public and to facilitate inspection by the licensing authority. If a licensee is simultaneously employed at more than one location, the licensee may display a copy of the license in lieu of the original.

(b) Each licensee shall permanently affix a photograph taken of the licensee within the previous 6 years to each displayed license issued to that licensee as a direct disposer or funeral director acting as a direct disposer.

Section 14. Paragraph (a) of subsection (3) of section 497.607, Florida Statutes, is amended to read:

497.607 Cremation; procedure required.—

(3)(a) With respect to any person who intends to provide for the cremation of the deceased, if, after 90 ~~a period of 120~~

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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. Such disposal includes ~~shall include~~ scattering them at sea or placing them in a licensed cemetery scattering garden or pond or in a church columbarium or otherwise disposing of the remains as provided by rule.

Section 15. Subsection (5) of section 627.404, Florida Statutes, is amended to read:

627.404 Insurable interest; personal insurance.—

(5) A contract of insurance upon a person, other than a policy of prepaid funeral contract, group life insurance or group or blanket accident, health, or disability insurance, may not be carried out ~~effectuated~~ unless, on or before the time of entering into such contract, the person insured, having legal capacity to contract, applies for or consents in writing to the contract and its terms, except that any person having an insurable interest in the life of a minor younger than 15 years of age or any person upon whom a minor younger than 15 years of age is dependent for support and maintenance may obtain ~~effectuate~~ a policy of insurance on the minor.

Section 16. For the purpose of incorporating the amendment made by this act to section 497.263, Florida Statutes, in a reference thereto, subsection (5) of section 497.260, Florida Statutes, is reenacted to read:

497.260 Cemeteries; exemption; investigation and mediation.—

(5) Any religious-institution-owned cemetery exempt under subsection (1), except those cemeteries qualifying under paragraph (1)(d), which becomes affiliated with a commercial

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581 enterprise must meet the requirements of s. 497.263.

582 Section 17. This act shall take effect July 1, 2026.