

963035100

## HOUSE BILL NO. 477

House Amendments in [ ] — February 13, 1996

A BILL to amend and reenact § 54.1-2810 of the Code of Virginia, relating to licensure of funeral establishments.

Patron—Abbitt

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 54.1-2810 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-2810. Licensure of funeral establishments.

No person shall conduct, maintain, manage or operate a funeral establishment unless a license for each such establishment has been issued by the Board. No license to operate a funeral establishment shall be issued by the Board unless each such funeral establishment has in charge, full time, a person licensed for the practice of funeral service or a licensed funeral director. Applications for funeral establishment licenses shall be made on forms furnished by the Board and filed by the owner or the registered agent of the corporation with the Board.

Each funeral establishment license shall expire annually at a time prescribed by Board regulation. A license may be renewed within thirty days of its expiration. Upon expiration of the license, the Board shall notify each licensee of the provisions of this section. Renewal of a license after the expiration of the thirty-day period shall be in the discretion of the Board.

Violations of any provisions of this chapter or any Board regulations by any person, or an officer, agent or employee with the knowledge or consent of any person operating a funeral establishment shall be considered sufficient cause for suspension or revocation of the funeral establishment license.

An operator of a funeral establishment shall not allow any person licensed for the practice of funeral service to operate out of his funeral establishment unless the licensee is the operator or an employee of the operator of a licensed funeral establishment.

*When licensing funeral establishments, the Board may grant a hardship waiver from the requirement for a full-time manager licensed for the practice of funeral service or licensed as a funeral director, allowing the operation of two funeral establishments having in charge one full-time person licensed for the practice of funeral service or one licensed funeral director who divides his time between the two funeral establishments. [ A hardship waiver shall only be granted to two funeral homes conducting a low number of funerals per year as established by the Board. In granting a hardship waiver, the Board shall find (i) the establishments have been in operation for at least three years, (ii) the combined number of funeral services performed at the two establishments during the previous three years is no more than 85, and (iii) the distance between the two establishments is no more than fifty miles. ]*

ENGROSSED

HB477E