

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 661 Session of 2009

INTRODUCED BY SONNEY, BENNINGHOFF, BEYER, BRENNAN, CREIGHTON, FABRIZIO, FLECK, GEIST, GILLESPIE, HARRIS, HENNESSEY, HORNAMAN, KAUFFMAN, KILLION, MILLER, MILNE, MOUL, OBERLANDER, M. O'BRIEN, O'NEILL, PICKETT, PYLE, QUINN, RAPP, SIPTROTH, STERN AND YOUNGBLOOD, FEBRUARY 27, 2009

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, FEBRUARY 27, 2009

AN ACT

1 Amending the act of January 14, 1952 (1951 P.L.1898, No.522),
2 entitled, as amended, "An act to provide for the better
3 protection of life and health of the citizens of this
4 Commonwealth by requiring and regulating the examination,
5 licensure and registration of persons and registration of
6 corporations engaging in the care, preparation and
7 disposition of the bodies of deceased persons, and providing
8 penalties; providing for a State Board of Funeral Directors
9 in the Department of State, and repealing other laws,"
10 further providing for conduct of business by individuals and
11 partnerships.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 8(a) of the act of January 14, 1952 (1951
15 P.L.1898, No.522), known as the Funeral Director Law, amended
16 December 19, 1980 (P.L.1329, No.242), is amended to read:

17 Section 8. Conduct of Business.--(a) Individuals and
18 Partnerships. Except as provided for in subsection (e) hereof,
19 only one license shall be granted to or held by an individual,
20 but two or more licensed funeral directors may operate a joint

1 or partnership business at one place only. No funeral practice,
2 whether conducted by an individual or a partnership, may be
3 conducted under any other name than the name or last name of the
4 individual or, if a partnership, the names or last names of all
5 partners: Provided, however, That an individual or partnership
6 may be conducted under the name of a predecessor funeral
7 establishment if the name or names of the owner or partners
8 appear as operator or operators on all signs, forms and
9 advertising. No person not licensed under this act shall have
10 any interest in the practice carried on by a licensed funeral
11 director except as otherwise herein provided. Upon the death of
12 a licensee, the board shall issue a license and renewal thereof
13 to his estate, only for a period not exceeding three (3) years,
14 or widows or widowers of deceased licensees without time
15 limitations, [as long as they remain unmarried,] providing the
16 widow, or widower, the executor or administrator of the estate
17 of the deceased licensee's heir or heirs, informs the board, of
18 the intent to continue practice, within ten (10) days and
19 applies within thirty (30) days for a certificate of licensure.
20 Such notice shall be in writing. The practice carried on by a
21 licensee's estate, widow or widower shall be under the
22 supervision of a licensed funeral director employed on a full
23 time basis. A licensee's estate, widow or widower shall not be
24 denied a license because the deceased licensee operated a
25 business in partnership with one or more other licensed funeral
26 directors nor shall a widow or widower be denied the right to
27 enter into a partnership with one or more of the licensed
28 funeral directors with whom the deceased licensee was in
29 partnership.

30 * * *

1 Section 2. This act shall take effect in 60 days.