

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1658 Session of  
1977

INTRODUCED BY BENNETT, IRVIS, ENGLEHART AND CIANCIULLI,  
SEPTEMBER 27, 1977

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
SEPTEMBER 27, 1977

AN ACT

1 Amending the act of May 1, 1929 (P.L.1216, No.427), entitled "An  
2 act to define real estate brokers and real estate salesmen;  
3 and providing for the licensing, regulation, and supervision  
4 of resident and nonresident real estate brokers and real  
5 estate salesmen and their business," requiring persons  
6 engaged in the sale of cemetery lots to be licensed, imposing  
7 powers upon the real estate commission with respect to  
8 cemeteries and providing penalties.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. Section 6.1, act of May 1, 1929 (P.L.1216,  
12 No.427), known as the "Real Estate Brokers License Act of one  
13 thousand nine hundred and twenty-nine," is amended by adding a  
14 subsection to read:

15 Section 6.1. \* \* \*

16 (f) The commission shall have the power to investigate  
17 licensees engaged in a business which applies to cemetery lots,  
18 plots and mausoleum spaces, openings or foundations and to  
19 suspend or revoke the license in accordance with the provisions  
20 of section 10 if it is determined that the licensee has violated

1 any of the provisions of this act, of Chapter 3, of Title 9 of  
2 the Pennsylvania Consolidated Statutes (relating to the  
3 regulation of cemetery companies), or the act of August 14, 1963  
4 (P.L.1059, No.459), relating to future need sales for death and  
5 interment.

6 Section 2. The act is amended by adding a section to read:

7 Section 6.4. (a) No person, copartnership, association or  
8 corporation shall engage in or carry on a business within the  
9 Commonwealth within the limited field or branch of such a  
10 business which applies to cemetery lots, plots and mausoleum  
11 spaces, openings or foundations without first obtaining a  
12 license pursuant to this section. Any person, copartnership,  
13 association or corporation violating the provisions of this  
14 subsection shall be subject to the penalties provided in section  
15 12.

16 (b) It shall be the duty of the department, upon payment of  
17 a license fee of \$20, to issue a license to any person,  
18 copartnership, association or corporation desiring to engage in  
19 or carry on a business within the Commonwealth within the  
20 limited field or branch of such a business which applies to  
21 cemetery lots, plots and mausoleum spaces, openings or  
22 foundations. Such licenses, unless suspended or revoked, shall  
23 be renewed on a biennial basis for a fee of \$20.

24 Section 3. This act shall take effect in 90 days.