

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 850

Session of
1979

INTRODUCED BY BENNETT, MACKOWSKI, IRVIS AND CIANCIULLI,
MARCH 27, 1979

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 27, 1979

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
21 any of the provisions of this act, of Chapter 3, of Title 9 of

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

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

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

17 (b) It shall be the duty of the department, upon payment of
18 a license fee of twenty dollars (\$20), to issue a license to any
19 person, copartnership, association or corporation desiring to
20 engage in or carry on a business within the Commonwealth within
21 the limited field or branch of such a business which applies to
22 cemetery lots, plots and mausoleum spaces, openings or
23 foundations. Such licenses, unless suspended or revoked, shall
24 be renewed on a biennial basis for a fee of twenty dollars
25 (\$20).

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