

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1423 Session of
1995

INTRODUCED BY KELLER, L. I. COHEN, COLAIZZO, BUNT, GANNON,
CAPPABIANCA, STISH, DALEY, ITKIN, PETTIT, SATHER, STERN,
OLASZ, TIGUE, CAWLEY, WILLIAMS, YOUNGBLOOD, COY, ADOLPH,
WOGAN, LEDERER, PESCI, J. TAYLOR, MERRY, LUCYK, HERSHEY,
JOSEPHS, STABACK, MCGEEHAN, DeLUCA, MILLER, GIGLIOTTI,
E. Z. TAYLOR, HENNESSEY, CLARK, TRELLO AND PISTELLA,
APRIL 25, 1995

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 25, 1995

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 issuance of licenses to descendants of
11 deceased licensees.

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, or to descendants
16 of deceased licensees without time limitations, providing the
17 widow, [or widower,] widower or descendants, or the executor or
18 administrator of the estate of the deceased licensee's heir or
19 heirs, informs the board, of the intent to continue practice,
20 within ten (10) days and applies within thirty (30) days for a
21 certificate of licensure. Such notice shall be in writing. The
22 practice carried on by a licensee's estate, widow [or], widower
23 or descendant shall be under the supervision of a licensed
24 funeral director employed on a full time basis. A licensee's
25 estate, widow [or], widower or descendant shall not be denied a
26 license because the deceased licensee operated a business in
27 partnership with one or more other licensed funeral directors
28 nor shall a widow [or], widower or descendant be denied the
29 right to enter into a partnership with one or more of the
30 licensed funeral directors with whom the deceased licensee was

1 in partnership. As used in this subsection, the term
2 "descendant" is limited to a person who is a blood relative
3 within one generation of the deceased licensee.

4 * * *

5 Section 2. This act shall take effect immediately.