

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1779 Session of
1999

INTRODUCED BY NICKOL AND MAITLAND, JULY 20, 1999

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JULY 20, 1999

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.

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

13 Section 1. Section 8(e) of the act of January 14, 1952 (1951
14 P.L.1898, No.522), known as the Funeral Director Law, amended
15 October 5, 1978 (P.L.1074, No.250), is amended and the section
16 is amended by adding a subsection to read:

17 Section 8. Conduct of Business.--* * *

18 (d.1) Limited Liability Company License. A limited liability
19 company license may be issued to a Pennsylvania limited
20 liability company which is organized pursuant to the provisions
21 of the act of December 7, 1994 (P.L.703, No.106), known as the
22 "Limited Liability Company Act," by one or more licensed funeral

1 directors specifically for the purpose of conducting a funeral
2 directing practice. No limited liability company may render
3 funeral services unless it holds a limited liability company
4 license issued pursuant to this subsection. The name of such
5 limited liability company shall contain the name or the last
6 name of one or more members of the company or the name of a
7 predecessor funeral establishment. No limited liability company
8 shall own shares of stock or any property interest in any other
9 funeral establishment. Nor shall any licensed funeral director
10 who obtains a limited liability company license or is a member
11 of a limited liability company have any stock or proprietary
12 interest in any other funeral establishment, except a branch
13 place of practice as authorized by subsection (e). Each limited
14 liability company shall, for each place of business operated by
15 it, register with the board the name of a licensed funeral
16 director who will serve as full-time supervisor of such place of
17 business.

18 (e) Branch Place of Practice. Licensees authorized to
19 conduct a funeral directing practice whether as an individual,
20 partnership, professional corporation [or], restricted business
21 corporation or limited liability company may practice at one
22 principal place and no more than one branch place of business
23 provided that a licensed funeral director is assigned as a full-
24 time supervisor to such branch location, and provided that the
25 facilities furnished at such branch location fully comply with
26 all the provisions of this act and the rules and regulations
27 promulgated by the board as amended from time to time. The board
28 shall issue a separate license and require payment of a separate
29 license fee for such branch location.

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