

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 2, 2024  
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB24-173 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 8, after line 16 insert:

2 "(6) (a) AN APPLICANT FOR LICENSURE UNDER THIS PART 5 MAY  
3 SUBMIT TO THE DIRECTOR A PETITION FOR WAIVER OF EDUCATIONAL  
4 REQUIREMENTS TO ALLOW THE APPLICANT TO TAKE THE ARTS OR SCIENCE  
5 PORTIONS OF THE NATIONAL BOARD EXAMINATION ADMINISTERED BY THE  
6 INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS  
7 OR BY A SUCCESSOR ORGANIZATION APPROVED BY THE DIRECTOR.

8 (b) UPON RECEIVING A PETITION FOR WAIVER, THE DIRECTOR  
9 SHALL DETERMINE IF A WAIVER IS APPROPRIATE AND EITHER ISSUE A  
10 WAIVER ALLOWING THE APPLICANT TO TAKE THE NATIONAL BOARD  
11 EXAMINATION OR A LETTER DETAILING WHY THE WAIVER IS NOT GRANTED.

12 (c) THIS SUBSECTION (6) DOES NOT WAIVE THE EXAMINATION  
13 REQUIREMENTS IN THIS PART 5 OR PARTS 6 TO 9 OF THIS ARTICLE 135  
14 WITHOUT THE APPROVAL OF THE DIRECTOR.

15 (d) AN APPLICANT WHO RECEIVES A WAIVER AND PASSES THE  
16 NATIONAL BOARD EXAMINATION IS DEEMED TO HAVE MET BOTH THE  
17 EDUCATION AND EXAMINATION REQUIREMENTS FOR LICENSURE BUT MUST  
18 ALSO MEET ALL OTHER REQUIREMENTS TO BE ISSUED A LICENSE UNDER  
19 THIS PART 5."

20 Amend the Business, Labor, and Technology committee report, dated  
21 March 26, 2024, page 3, strike lines 4 through 13.

22 Page 24 of the bill, after line 19 insert:

23 "(4) (a) AN INDIVIDUAL LICENSED UNDER THIS PART 6 MAY  
24 DELEGATE TASKS, AS DETERMINED BY THE DIRECTOR IN RULE, WITHIN THE  
25 SCOPE OF THE INDIVIDUAL'S LICENSE TO UNLICENSED PERSONS PRACTICING

1 WITHIN THE UNLICENSED PERSON'S EXPERIENCE, EDUCATION, OR  
2 TRAINING.

3 (b) A LICENSEE IS RESPONSIBLE FOR ENSURING THAT A DELEGATEE  
4 HAS THE EXPERIENCE, EDUCATION, AND TRAINING NECESSARY TO  
5 PERFORM DELEGATED TASKS.

6 (c) A LICENSEE RETAINS RESPONSIBILITY FOR ANY TASKS  
7 DELEGATED UNDER THIS SUBSECTION (4).

8 (d) A LICENSEE SHALL NOT DELEGATE THE FOLLOWING TASKS:

9 (I) ANY TASK INVOLVING HANDLING HUMAN REMAINS; EXCEPT  
10 THAT THIS SUBSECTION (4)(d)(I) DOES NOT APPLY TO TRANSPORTING  
11 HUMAN REMAINS;

12 (II) SIGNING CONTRACTS OR OTHER LEGAL DOCUMENTS THAT  
13 INVOLVE COMPENSATION FOR FUNERAL GOODS OR SERVICES; OR

14 (III) OVERSIGHT OF A FUNERAL HOME OR CREMATORY OPERATIONS  
15 RELATED TO THE FINAL DISPOSITION OF HUMAN REMAINS."

16 Page 26 of the bill, after line 1 insert:

17 "(2) (a) AN INDIVIDUAL LICENSED UNDER THIS PART 7 MAY  
18 DELEGATE TASKS, AS DETERMINED BY THE DIRECTOR IN RULE, WITHIN THE  
19 SCOPE OF THE INDIVIDUAL'S LICENSE TO UNLICENSED PERSONS PRACTICING  
20 WITHIN THE UNLICENSED PERSON'S EXPERIENCE, EDUCATION, OR  
21 TRAINING.

22 (b) A LICENSEE IS RESPONSIBLE FOR ENSURING THAT A DELEGATEE  
23 HAS THE EXPERIENCE, EDUCATION, AND TRAINING NECESSARY TO  
24 PERFORM DELEGATED TASKS.

25 (c) A LICENSEE RETAINS RESPONSIBILITY FOR ANY TASKS  
26 DELEGATED UNDER THIS SUBSECTION (2).

27 (d) A LICENSEE SHALL NOT DELEGATE THE FOLLOWING TASKS:

28 (I) ANY TASK INVOLVING HANDLING HUMAN REMAINS; EXCEPT  
29 THAT THIS SUBSECTION (2)(d)(I) DOES NOT APPLY TO TRANSPORTING  
30 HUMAN REMAINS;

31 (II) SIGNING CONTRACTS OR OTHER LEGAL DOCUMENTS THAT  
32 INVOLVE COMPENSATION FOR FUNERAL GOODS OR SERVICES; OR

33 (III) OVERSIGHT OF A FUNERAL HOME OR CREMATORY OPERATIONS  
34 RELATED TO THE FINAL DISPOSITION OF HUMAN REMAINS."

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