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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

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## DIGEST

Claitor (SB 378)

Present law provides relative to funerals and funeral directors, establishments, goods, services and merchandise. Provides for regulation by the Louisiana State Board of Embalmers and Funeral Directors.

Present law defines "funeral directing" as means the operation of a funeral home, or, by way of illustration and not limitation, any service whatsoever connected with the management of funerals, or the supervision of hearses or funeral cars, the purchase of caskets or other funeral merchandise, and retail sale and display thereof, the cleaning or dressing of dead human bodies for burial, and the performance or supervision of any service or act connected with the management of funerals from time of death until the body or bodies are delivered to the cemetery, crematory, or other agent for the purpose of disposition.

Proposed law adds that "funeral directing" shall not include the sale of caskets to the public by a vendor who performs no duties of funeral directing or operating a funeral establishment.

Present law defines "funeral director" as a person to whom a valid license has been issued by the board to perform the duties of funeral directing. Proposed law adds that such definition shall not include a person acting solely as a vendor of caskets to the public.

Present law defines "funeral establishment" as a place or premises duly licensed and devoted to or used in the care and preparation for burial of the body of a deceased person or maintained or held out to the public by advertising or otherwise as the office or place for the practice of funeral directing. Proposed law adds that such definition shall not include the place or premises of a person acting solely as a vendor of caskets to the public.

Present law defines "funeral goods and services" and "funeral merchandise". Proposed law adds that such definition shall be for goods, services, and merchandise sold at a funeral establishment, and shall not include caskets sold or offered for sale to the public by a vendor who performs no duties of funeral directing or operating a funeral establishment.

Proposed law further provides that nothing in present law shall prohibit the sale, purchase or use of a casket from a vendor who is not a funeral director or funeral establishment. No funeral director or funeral establishment shall charge a casket handling fee or surcharge for the use of a casket purchased from such a vendor.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:831(42), (43), (44), (45), and (46); adds R.S. 37:853.1)