

Executive

As Passed by the House

As Passed by the Senate

As Enacted

FUNCD2 Funeral directors, embalmers, and crematory operators

R.C. 4717.02, 4717.01, 4717.03, 4717.04, 4717.05, 4717.051, 4717.06, 4717.07, 4717.08, 4717.09, 4717.10, 4717.11, 4717.13, 4717.14, 4717.15, 4717.16, 4717.21, 4717.23, 4717.24, 4717.25, 4717.26, 4717.27, 4717.28, 4717.30

R.C. 4717.02, 4717.01, 4717.03, 4717.04, 4717.05, 4717.051, 4717.06, 4717.07, 4717.08, 4717.09, 4717.10, 4717.11, 4717.13, 4717.14, 4717.15, 4717.16, 4717.21, 4717.23, 4717.24, 4717.25, 4717.26, 4717.27, 4717.28, 4717.30

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No provision.

Modifies the membership criteria for the Board of Embalmers and Funeral Directors. Requires five members to be licensed practicing funeral directors, four of which shall also be licensed embalmers. Requires one of the funeral directors to also hold a crematory operator permit.

Same as the House.

Same as the House.

No provision.

Requires the Board to adopt rules related to the lawful disposition of unclaimed cremated remains held in funeral home or crematory that has been closed.

Same as the House.

Same as the House.

No provision.

Modifies the definition of "embalming" to include the specified chemical treatments that reduce microorganic activity, slow decomposition, and restore acceptable physical appearance.

Same as the House.

Same as the House.

No provision.

Replaces the term "operator of a crematory facility" with "crematory operator." Specifies that a "crematory operator" must operate with a permit and a "crematory facility" must

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No provision.	operate with a license. Establishes criteria for a crematory operator permit, associated fees, and continuing education requirements. Sets the initial and biennial renewal fees for a crematory operator permit at \$100.	Same as the House.	Same as the House.
No provision.	Eliminates the requirement that a funeral home be established under the name of the license holder and the requirement that the license not include directional or geographical references in the name.	Same as the House.	Same as the House.
No provision.	Caps reinstatement fees at a maximum of \$1,000.	Same as the House, but caps reinstatement fees for lapsed crematory operator licenses and permits at a maximum of \$500.	Same as the Senate.
No provision.	Exempts courtesy card permit holders from continuing education requirements.	Same as the House.	Same as the House.
No provision.	Prohibits any person from knowingly refusing to promptly submit the custody of a dead human body or cremated remains upon the order of the person legally entitled to the body or cremated remains.	Same as the House.	Same as the House.
No provision.	Prohibits, with a few exceptions, a person from knowingly failing to carry out the final disposition of a dead human body within 30 days after taking custody of the body.	Same as the House.	Same as the House.

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	<p><b>Fiscal effect: Crematory operator permits established by the bill may increase revenue collected by the Board and deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90). Capping reinstatement fees for lapsed licenses at specified amounts is not likely to result in any change to the amount of license revenue collected by the Board.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>
<b>FUNCD1 Preneed funeral contracts</b>			
	<p><b>R.C. 4717.41, 4717.07, 4717.32, 4717.33, 4717.35, 4717.36</b></p>	<p><b>R.C. 4717.41, 4717.07, 4717.32, 4717.33, 4717.35, 4717.36</b></p>	<p><b>R.C. 4717.41, 4717.07, 4717.32, 4717.33, 4717.35, 4717.36</b></p>
No provision.	<p>Requires the Board to adopt rules regarding violations relating to the submission of sale reports for preneed funeral contracts.</p>	Same as the House.	Same as the House.
No provision.	<p>Requires a funeral home licensee for a funeral home that is closing to send written notice to the purchaser of every preneed funeral contract to which the funeral business is a party containing the name of any funeral business that has been designated to assume the obligations of the preneed contract.</p>	Same as the House.	Same as the House.
No provision.	<p>Requires within 30 days of the closing of a funeral home, the funeral home licensee to transfer all preneed contracts to the funeral home or funeral homes that have been designated to assume the obligation of the</p>	Same as the House.	Same as the House.

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No provision.	<p>preneed contracts.</p> <p>Requires the Board to make designations for preneed contract in the case of a closed funeral home, if the person who holds a funeral home license fails to designate a successor.</p>	Same as the House.	Same as the House.
No provision.	<p>Requires that all preneed funeral contracts include a disclosure that any purchaser may be eligible for reimbursement of financial losses suffered as a result of malfeasance, misfeasance, default, failure, or insolvency of the licensee.</p>	Same as the House.	Same as the House.
No provision.	<p>Requires preneed contracts held in trust to contain a disclosure regarding whether the seller will charge an initial service, cancellation, or service fees.</p>	Same as the House.	Same as the House.
No provision.	<p>Requires payment for preneed contracts to be paid directly to an insurance company or to the contract's trustee.</p>	<p>Same as the House, but exempts any applicable sales tax payment on a preneed funeral contract from the requirements that payment generally be in a specific form and payable only to the preneed funeral contract trust.</p>	Same as the Senate.
No provision.	<p>Establishes the Preneed Recovery Fund, a custodial fund to be used to reimburse purchasers of preneed funeral contracts who have suffered financial loss as a result of the malfeasance, misfeasance, default, failure, or insolvency in connection with the sale of a preneed funeral contract.</p>	Same as the House.	Same as the House.

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No provision.	Imposes a \$10 fee on the sale of preneed funeral contracts other than those funded by insurance policy assignment. Requires the fee to be deposited to the credit of the Preneed Recovery Fund that is created under the bill.	Same as the House.	Same as the House.
No provision.	Allows the Board to invest such portions of the Fund as are not currently needed to reimburse losses and maintain adequate reserves, as are permitted to be made by fiduciaries under current law.	Same as the House.	Same as the House.
No provision.	No provision.	Requires the seller of a preneed funeral contract, within 30 days of receiving a payment made payable to the contract trustee, to remit the payment to the trustee, unless the purchaser rescinds the contract.	Same as the Senate.
No provision.	No provision.	Eliminates from existing law a requirement that taxes, expenses, and fees be paid only from the accumulated income on the preneed funeral contract trust.	Same as the Senate.
<b>Fiscal effect: Minimal.</b>		<b>Fiscal effect: Same as the House.</b>	<b>Fiscal effect: Same as the House.</b>

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**DASCD35 Staggered renewal process for electronic licensing**

No provision.

**R.C. 4745.05, 4745.01**  
 Requires occupational licensing agencies that use the electronic licensing system operated by DAS to adopt rules incorporating into the agency's licensing process (1) a minimum license duration of 2 years, and (2) a staggered renewal schedule so that an approximately equal number licenses are subject to renewal during each year of the duration of a particular license.

No provision.

No provision.

No provision.

Allows a licensing agency, after a reasonable period of time, to opt out of the above requirements if conformance did not establish a more uniform funding stream for the agency and has had an adverse effect on both the agency staff and the community regulated by the agency.

No provision.

No provision.

**Fiscal effect: Although requiring staggered renewal periods would alter the timing of license revenue receipts, overall revenue for occupational licensing and regulatory boards should not be affected. There may, however, be some administrative costs for converting to a two-year renewal process.**