



Senate Fiscal Agency  
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## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bill 4303 (Substitute S-1 as reported)  
House Bill 4329 (Substitute H-1 as reported without amendment)  
House Bill 4330 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Kenneth Kurtz  
House Committee: Regulatory Reform  
Senate Committee: Regulatory Reform

**CONTENT**

House Bill 4303 (S-1) would amend Article 18 (Mortuary Science) of the Occupational Code to do the following:

- Authorize the Department of Licensing and Regulatory Affairs to issue a courtesy license to practice mortuary science to a person licensed in that profession, funeral directing, or an equivalent occupation in Indiana, Ohio, or Wisconsin, if that state had a reciprocal opportunity for Michigan licensees.
- Specify that a courtesy license would be valid for two years.
- Specify activities in which the holder of a courtesy license could and could not engage.

A person who held a courtesy license could do any of the following:

- Remove a dead human body from the place of death in Michigan.
- Register with a local registrar under Section 1807 of the Occupational Code.
- Subject to Section 1807, transport a dead human body to or from the state in which he or she was licensed
- Subject to Section 1807, supervise the final disposition in Michigan of the human body of an individual who died in the state in which the person was licensed.

(Section 1807 requires the holder of a mortuary science license to register with the office of the registrar of each city or village in which the owner intends to practice, and allows a local registrar to grant a transportation permit to the holder of a mortuary science license coming from beyond the registrar's jurisdiction, upon being shown a copy of the license.)

The holder of a courtesy license issued under the bill could not do any of the following in Michigan:

- Operate a funeral establishment.
- Engage in the practice of embalming.
- Advertise mortuary science, funeral directing, or cremation services.
- Directly or indirectly own, manage, operate, maintain, or be employed by a cemetery or crematory or engage in any similar activity for which registration is required under the Cemetery Regulation Act.
- Violate Section 1810 of the Occupational Code (which outlines prohibited conduct for mortuary science license holders).

House Bill 4329 (H-1) would amend the State License Fee Act to establish an application processing fee of \$135 and an annual license fee of \$135 for a courtesy mortuary science license.

House Bill 4330 (H-1) would amend Part 28 (Vital Records) of the Public Health Code to authorize the holder of a courtesy mortuary science license to certify a death record and file it with the local registrar. Part 28 requires a licensed funeral director to certify a death record and file it with the local registrar of the district where the death occurred within 72 hours after the death. Under the bill, a death record would have to be certified and filed by a licensed funeral director or by an individual who held a courtesy mortuary science license.

The bills would take effect 90 days after their enactment. House Bills 4329 (H-1) and 4330 (H-1) are tie-barred to House Bill 4303.

Proposed MCL 339.1806a (H.B. 4303)  
MCL 338.2243 (H.B. 4329)  
333.2843 (H.B. 4330)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bills would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local units of government. To the extent that the fees for courtesy mortuary science licenses would generate sufficient revenue to cover the cost of issuing the licenses, the bills would have no fiscal impact on the Department. If the fees did not raise sufficient revenue, the costs of issuing the licenses would be borne by existing Department resources. Alternatively, any fee revenue in excess of the cost of issuing the licenses would be used to support other occupational licensing programs.

Date Completed: 6-10-13

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.