

2 SHB 2328 - S AMD  
3 By Senators Thorsness and Rasmussen

4  
5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 18.39.290 and 1986 c 259 s 69 are each amended to  
8 read as follows:

9 All certificates of registration issued pursuant to this chapter  
10 shall continue in force until the expiration date unless suspended or  
11 revoked. A certificate shall be subject to renewal annually ninety  
12 days after the end of its fiscal year, as stated on the original  
13 application, by the funeral establishment and payment of the required  
14 fees.

15 The director shall determine and collect fees related to  
16 certificate of registration licensure.

17 All fees so collected shall be remitted by the director to the  
18 state treasurer not later than the first business day following receipt  
19 of such funds and the funds shall be credited to the ((health  
20 professions)) funeral directors and embalmers account."

21 "NEW SECTION. Sec. 2. A new section is added to chapter 18.39 RCW  
22 to read as follows:

23 The funeral directors and embalmers account is created in the  
24 custody of the state treasurer. All fees received by the department  
25 for licenses, registrations, renewals, examinations, and audits shall  
26 be forwarded to the state treasurer who shall credit the money to the  
27 account. All fines and civil penalties ordered by the superior court

1 or fines ordered pursuant to RCW 18.130.160(8) against holders of  
2 licenses or registrations issued under the provisions of this chapter  
3 shall be paid to the account. All expenses incurred in carrying out  
4 the licensing and registration activities of the department and the  
5 state funeral directors and embalmers board under this chapter shall be  
6 paid from the account as authorized by legislative appropriation. Any  
7 residue in the account shall be accumulated and shall not revert to the  
8 general fund at the end of the biennium. All earnings of investments  
9 of balances in the account shall be credited to the general fund."

10 "Sec. 3. RCW 68.05.205 and 1987 c 331 s 16 are each amended to  
11 read as follows:

12 (~~Every cemetery authority shall pay for each cemetery operated by~~  
13 ~~it, an annual regulatory charge to be fixed by the director of not more~~  
14 ~~than three dollars per interment, entombment, and inurnment made during~~  
15 ~~the preceding full calendar year, which charges shall be deposited in~~  
16 ~~the cemetery account. Upon payment of said charges and compliance with~~  
17 ~~the provisions of Title 68 RCW and the lawful orders, rules, and~~  
18 ~~regulations of the board, the board will issue a certificate of~~  
19 ~~authority)) The director, with the consent of the cemetery board, shall  
20 set all fees for chapters 68.05, 68.20, 68.24, 68.28, 68.32, 68.36,  
21 68.40, 68.44, and 68.46 RCW in accordance with RCW 43.24.086, including  
22 fees for licenses, certificates, regulatory charges, permits, or  
23 endorsements and the department shall collect the fees."~~

24 "Sec. 4. RCW 68.50.180 and 1979 c 21 s 14 are each amended to read  
25 as follows:

26 The cemetery authority may inter or cremate any remains upon the  
27 receipt of a written authorization of a person representing himself to  
28 be a person who has acquired the right to control the disposition of

1 the remains. A cemetery authority is not liable for interring or  
2 cremating pursuant to such authorization, unless it has actual notice  
3 that such representation is untrue.

4 In the event the state of Washington or any of its agencies provide  
5 the funds for the disposition of any remains and the state or its  
6 agency elects to provide the funds for cremation only, the ((cemetery  
7 authority)) crematory shall not be criminally or civilly liable for  
8 cremating the remains.

9 If the provisions of RCW 68.50.160 do not apply, a crematory  
10 licensed under the provisions of RCW 68.05.175 or 18.39.217 shall have  
11 the right to rely on an authority to cremate executed by a  
12 representative of the decedent or the decedent's estate, and the  
13 crematory shall not be criminally or civilly liable for cremating the  
14 remains."

15 **SHB 2328** - S AMD  
16 By Senators Thorsness and Rasmussen

17  
18 On page 1, line 2 of the title, after "remains;" strike the  
19 remainder of the title and insert "amending RCW 18.39.290, 68.05.205,  
20 and 68.50.180; and adding a new section to chapter 18.39 RCW."