

## No. 1980-242

## AN ACT

## HB 2534

Amending the act of January 14, 1952 (1951 P.L.1898, No.522), entitled, as amended, "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of State, and repealing other laws," further providing for issuance of licenses for widows and widowers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (a) of section 8, act of January 14, 1952 (1951 P.L.1898, No.522), known as the "Funeral Director Law," amended October 5, 1978 (P.L.1074, No.250), is amended to read:

Section 8. Conduct of Business.—(a) Individuals and Partnerships. Except as provided for in subsection (e) hereof, only one license shall be granted to or held by an individual, but two or more licensed funeral directors may operate a joint or partnership business at one place only. No funeral practice, whether conducted by an individual or a partnership, may be conducted under any other name than the name or last name of the individual or, if a partnership, the names or last names of all partners: Provided, however, That an individual or partnership may be conducted under the name of a predecessor funeral establishment if the name or names of the owner or partners appear as operator or operators on all signs, forms and advertising. No person not licensed under this act shall have any interest in the practice carried on by a licensed funeral director except as otherwise herein provided. Upon the death of a licensee, the board[, in its discretion, may] *shall* issue a license and renewal thereof to his estate, only for a period not exceeding three (3) years, or widows or widowers of deceased licensees *without time limitations*, as long as they remain unmarried, providing the widow *or widower*, the executor or administrator of the estate of the deceased licensee's heir or heirs, informs the board, of the intent to continue practice, within ten (10) days and applies within thirty (30) days for a certificate of licensure. Such notice shall be in writing. The practice carried on by a licensee's estate, widow or widower shall be under the supervision of a licensed funeral director employed on a full time basis. *A licensee's estate, widow or widower shall not be denied a license because the deceased licensee operated a business in partnership with one or more other licensed funeral directors nor shall a widow or widower be denied the*

*right to enter into a partnership with one or more of the licensed funeral directors with whom the deceased licensee was in partnership.*

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Section 2. This act shall take effect immediately and shall be retroactive to December 31, 1979 and shall apply to all licensees which are or will be issued or are subject to renewal.

APPROVED—The 19th day of December, A. D. 1980.

DICK THORNBURGH