

SENATE BILL NO. 1052

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

4307S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 333.041 and 333.042, RSMo, and to enact in lieu thereof two new sections relating to embalmers and funeral directors, with a delayed effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 333.041 and 333.042, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 333.041 and 333.042, to read as follows:

333.041. 1. [Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board.]

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum. The form for

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 registration as a practicum student shall be accompanied by
19 a fee in an amount established by the board.

20 **3.]** Each applicant for a **student** license to practice
21 embalming shall **submit an application to the board, pay all**
22 **application fees, and** furnish evidence to establish to the
23 satisfaction of the board that he or she:

24 (1) Is at least eighteen years of age, and possesses a
25 high school diploma, a general equivalency diploma, or
26 equivalent thereof, as determined, at its discretion, by the
27 board; **and**

28 (2) **Is currently enrolled in a funeral service**
29 **education program or** has completed a funeral service
30 education program accredited by the American Board of
31 Funeral Service Education, any successor organization, or
32 other accrediting entity as approved by the board. **[If an**
33 **applicant does not complete all requirements for licensure**
34 **within five years from the date of his or her completion of**
35 **an accredited program, his or her registration as an**
36 **apprentice embalmer shall be automatically cancelled. The**
37 **applicant shall be required to file a new application and**
38 **pay applicable fees. No previous apprenticeship shall be**
39 **considered for the new application;**

40 (3) Upon due examination administered by the board, is
41 possessed of a knowledge of the subjects of embalming,
42 anatomy, pathology, bacteriology, mortuary administration,
43 chemistry, restorative art, together with statutes, rules
44 and regulations governing the care, custody, shelter and
45 disposition of dead human bodies and the transportation
46 thereof or has passed the national board examination of the
47 Conference of Funeral Service Examining Boards. If any
48 applicant fails to pass the state examination, he or she may
49 retake the examination at the next regular examination

50 meeting. The applicant shall notify the board office of his
51 or her desire to retake the examination at least thirty days
52 prior to the date of the examination. Each time the
53 examination is retaken, the applicant shall pay a new
54 examination fee in an amount established by the board;

55 (4) Has been employed full time in funeral service in
56 a licensed funeral establishment and has personally embalmed
57 at least twenty-five dead human bodies under the personal
58 supervision of an embalmer who holds a current and valid
59 Missouri embalmer's license during an apprenticeship of not
60 less than twelve consecutive months. "Personal supervision"
61 means that the licensed embalmer shall be physically present
62 during the entire embalming process in the first six months
63 of the apprenticeship period and physically present at the
64 beginning of the embalming process and available for
65 consultation and personal inspection within a period of not
66 more than one hour in the remaining six months of the
67 apprenticeship period. All transcripts and other records
68 filed with the board shall become a part of the board files.]

69 **2. After a student's application has been approved by**
70 **the board, student licensees who are enrolled in or have**
71 **completed a funeral service education program may assist,**
72 **under the direct supervision of an embalmer licensed**
73 **pursuant to this chapter, in an establishment licensed for**
74 **embalming pursuant to this chapter. Student licensees shall**
75 **not assist when not under such supervision. Each student**
76 **license is only authorized to work at establishments and**
77 **under only those embalmers licensed with the board.**

78 **3. In order to be eligible for full licensure, a**
79 **student licensee shall:**

80 (1) **Submit an official transcript to the board after**
81 **completing a funeral service education program accredited by**

82 the American Board of Funeral Service Education, any
83 successor organization, or any other accrediting entity as
84 approved by the board;

85 (2) Demonstrate that he or she has completed a
86 qualifying apprenticeship of no less than six months;

87 (3) Demonstrate that he or she has personally embalmed
88 at least twenty-five dead human bodies under the supervision
89 of an embalmer who is licensed pursuant to this chapter, the
90 first twelve of which shall be under the direct supervision
91 of the licensed embalmer; and

92 (4) Pass the National Board Examination - Sciences and
93 the Missouri law examination, and if required to
94 successfully complete the student licensee's funeral service
95 education program, the National Board Examination - Arts or
96 the State Board Examination - Arts.

97 Persons licensed pursuant to this subsection may, at his or
98 her election and at any time, sit for the National Board
99 Examination - Arts for the purpose of potential reciprocity
100 with any other state that may require such examination. The
101 licensed embalmer supervising a student licensee shall
102 inspect all bodies embalmed by the student licensee. The
103 term "direct supervision" as used in this subsection means
104 that the licensed embalmer is physically present with the
105 student licensee and the dead human body at the beginning of
106 the embalming process and available for consultation within
107 one hour for the remainder of the embalming process.

108 4. [If the applicant does not complete the application
109 process within the five years after his or her completion of
110 an approved program, then he or she must file a new
111 application and no fees paid previously shall apply toward
112 the license fee.]

113 5. Examinations required by this section and section
114 333.042 shall be held at least twice a year at times and
115 places fixed by the board. The board shall by rule and
116 regulation prescribe the standard for successful completion
117 of the examinations.

118 6. Upon establishment of his or her qualifications as
119 specified by this section or section 333.042, the board
120 shall issue to the applicant a license to practice funeral
121 directing or embalming, as the case may require, and shall
122 register the applicant as a duly licensed funeral director
123 or a duly licensed embalmer. Any person having the
124 qualifications required by this section and section 333.042
125 may be granted both a license to practice funeral directing
126 and to practice embalming.

127 7. The board shall, upon request, waive any
128 requirement of this chapter and issue a temporary funeral
129 director's license, valid for six months, to the surviving
130 spouse or next of kin or the personal representative of a
131 licensed funeral director, or to the spouse, next of kin,
132 employee or conservator of a licensed funeral director
133 disabled because of sickness, mental incapacity or injury] **A**
134 **student licensee shall have five years to successfully**
135 **complete the requirements for licensure provided by this**
136 **section. If the student licensee fails to complete the**
137 **requirements within five years, the application for**
138 **licensure shall be cancelled. If the application is**
139 **cancelled, the student licensee shall be required to file a**
140 **new application and pay any applicable fees. No previous**
141 **apprenticeship shall be considered for the new application.**
142 **If the student licensee completes the requirements prior to**
143 **the expiration of five years, the student licensee can apply**
144 **for an embalmer's license.**

145 5. For purposes of this section, a qualifying
146 embalmer's apprenticeship is one that meets the minimum hour
147 requirements as set by the board and where the supervising
148 embalmer has attested that the student licensee has obtained
149 the minimal required skills to practice embalming.

 333.042. 1. Every person desiring to engage in the
2 practice of funeral directing as an apprentice in this state
3 shall obtain a provisional funeral director license from the
4 board. To apply for a provisional license, the applicant
5 shall make application with the board, pay the current
6 application fees, and furnish evidence to establish to the
7 satisfaction of the board that he or she:

8 (1) Is at least eighteen years of age; and

9 (2) Will work as an apprentice funeral director under
10 personal supervision of a funeral director licensed pursuant
11 to this chapter. The applicant shall provide to the board
12 the name and license number of the funeral director who will
13 perform his or her supervision and the location where the
14 applicant will practice. The supervising funeral director
15 shall attest to the board that the apprenticeship will meet
16 the requirements of this section.

17 The term "personal supervision" as used in this subsection
18 means that the licensed funeral director shall be physically
19 present in the building during any arrangement conferences,
20 but the licensed funeral director shall not be required to
21 be present in the building when the apprentice performs any
22 other functions relating to the practice of funeral
23 directing.

24 2. An applicant for a provisional funeral director
25 license under subsection 1 of this section shall have three
26 years to complete the requirements for licensure under this

27 **section. If the applicant fails to complete the**
28 **requirements within three years, the application for**
29 **licensure shall be cancelled. If the application is**
30 **cancelled, the applicant shall be required to file a new**
31 **application and pay any applicable fees. No previous**
32 **apprenticeship shall be considered for the new application.**

33 3. Every person desiring to enter the profession of
34 funeral directing in this state shall make application with
35 the [state] board [of embalmers and funeral directors and],
36 pay the current application [and examination] fees[. Except
37 as otherwise provided in section 41.950, applicants not
38 entitled to a license pursuant to section 333.051 or 324.009
39 shall serve an apprenticeship for at least twelve
40 consecutive months in a funeral establishment licensed for
41 the care and preparation for burial and transportation of
42 the human dead in this state or in another state which has
43 established standards for admission to practice funeral
44 directing equal to, or more stringent than, the requirements
45 for admission to practice funeral directing in this state.
46 The applicant shall devote at least fifteen hours per week
47 to his or her duties as an apprentice under the supervision
48 of a Missouri licensed funeral director. Such applicant
49 shall submit proof to the board, on forms provided by the
50 board, that the applicant has arranged and conducted ten
51 funeral services during the applicant's apprenticeship under
52 the supervision of a Missouri licensed funeral director.
53 Upon completion of the apprenticeship, the applicant shall
54 appear before the board to be tested on the applicant's
55 legal and practical knowledge of funeral directing, funeral
56 home licensing, preneed funeral contracts and the care,
57 custody, shelter, disposition and transportation of dead
58 human bodies. Upon acceptance of the application and fees

59 by the board, an applicant shall have twenty-four months to
60 successfully complete the requirements for licensure found
61 in this section or the application for licensure shall be
62 cancelled.

63 2. If a person applies for a limited license to work
64 only in a funeral establishment which is licensed only for
65 cremation, including transportation of dead human bodies to
66 and from the funeral establishment, he or she shall make
67 application, pay the current application and examination fee
68 and successfully complete the Missouri law examination. He
69 or she shall be exempt from the twelve-month apprenticeship
70 required by subsection 1 of this section and the practical
71 examination before the board. If a person has a limited
72 license issued pursuant to this subsection, he or she may
73 obtain a full funeral director's license if he or she
74 fulfills the apprenticeship and successfully completes the
75 funeral director practical examination.

76 3. If an individual is a Missouri licensed embalmer or
77 has completed a program accredited by the American Board of
78 Funeral Service Education, any successor organization, or
79 other accrediting entity as approved by the board or has
80 successfully completed a course of study in funeral
81 directing offered by an institution accredited by a
82 recognized national, regional or state accrediting body and
83 approved by the state board of embalmers and funeral
84 directors, and desires to enter the profession of funeral
85 directing in this state, the individual shall comply with
86 all the requirements for licensure as a funeral director
87 pursuant to subsection 1 of section 333.041 and subsection 1
88 of this section; however, the individual is exempt from the
89 twelve-month apprenticeship required by subsection 1 of this

90 section.], and furnish evidence to establish to the
91 satisfaction of the board that he or she:

92 (1) Is at least eighteen years of age and possesses a
93 high school diploma, a general equivalency diploma, or
94 equivalent thereof, as determined, at its discretion, by the
95 board;

96 (2) Passed the Missouri law examination; and

97 (3) Has proof of successful completion of:

98 (a) A program accredited by the American Board of
99 Funeral Service Education, any successor organization, or
100 any other accrediting entity as approved by the board; or

101 (b) A qualifying apprenticeship of at least twelve
102 months during which the applicant establishes to the
103 satisfaction of the board that he or she has conducted and
104 arranged at least ten funerals and has passed the National
105 Board Examination - Arts or the State Board Examination -
106 Arts administered by the International Conference of Funeral
107 Service Examining Boards or any other equivalent agency
108 approved by the board; or

109 (c) A qualifying apprenticeship of at least eighteen
110 months during which the applicant establishes to the
111 satisfaction of the board that he or she has conducted and
112 arranged at least twenty-five funerals.

113 For purposes of this subsection, a qualifying apprenticeship
114 is one that meets those requirements as set out by the board
115 regarding the number of hours worked by the apprentice and
116 the funeral directing related tasks an apprentice shall be
117 attested to by the supervising funeral director that he or
118 she has successfully accomplished. Any licensed funeral
119 director who has not previously successfully passed the
120 National Board Examination - Arts may, at his or her

121 election, sit for such examination at any time upon written
122 request to the board.

123 4. A person holding a funeral director limited license
124 is only authorized to work in a funeral establishment
125 licensed only for cremation and which is not licensed for
126 any other funeral establishment function. A person holding
127 a funeral director limited license may perform the duties
128 related to cremation including, but not limited to,
129 transportation of dead human bodies to and from the funeral
130 establishment. Every person desiring to obtain a funeral
131 director limited license in this state shall make
132 application with the board, pay the current application
133 fees, and furnish evidence to establish to the satisfaction
134 of the board that he or she:

- 135 (1) Is at least eighteen years of age; and
136 (2) Has successfully completed the Missouri law
137 examination.

138 If a person has a funeral director limited license issued
139 under this section, he or she may obtain a full funeral
140 director's license without taking the Missouri law
141 examination, provided that he or she meets all other funeral
142 director license requirements of this section.

143 5. Upon establishment of his or her qualifications as
144 specified by this section or section 333.041, the board
145 shall issue to the applicant a license to practice the
146 professions for which he or she is qualified.

Section B. Section A of this act shall become
2 effective August 28, 2025.

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