

State of Arizona  
Senate  
Fifty-first Legislature  
First Regular Session  
2013

# SENATE BILL 1342

AN ACT

AMENDING SECTIONS 32-1301 AND 32-1309, ARIZONA REVISED STATUTES; REPEALING SECTION 32-1324, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1324.01; AMENDING SECTIONS 32-1325.01, 32-1330, 32-1331, 32-1333 AND 32-1361, ARIZONA REVISED STATUTES; RELATING TO FUNERAL DIRECTORS AND EMBALMERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1301, Arizona Revised Statutes, is amended to  
3 read:

4 32-1301. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Accredited" means recognized or authorized by the American board  
7 of funeral service education.

8 2. "Administrative costs and expenses" means the cost of copies,  
9 transcripts, court reporter and witness fees, reimbursement for mileage and  
10 office of administrative hearings costs.

11 3. "Alternative container" means any unfinished wood box or other  
12 nonmetal receptacle or enclosure, without ornamentation or a fixed interior  
13 lining, that is designed for the encasement of human remains.

14 ~~4. "Apprentice embalmer" means a person who is registered pursuant to~~  
15 ~~this chapter and who is engaged in embalming under the supervision of a~~  
16 ~~licensed embalmer.~~

17 ~~5.~~ 4. "Authorizing agent" means a person who is legally entitled to  
18 order the cremation, disinterment or embalming of human remains pursuant to  
19 section 32-1365.02.

20 ~~6.~~ 5. "Beneficiary" means a person whose future funeral arrangements  
21 will be handled by a funeral establishment pursuant to a prearranged funeral  
22 agreement.

23 ~~7.~~ 6. "Board" means the state board of funeral directors and  
24 embalmers.

25 ~~8.~~ 7. "Business entity" includes any corporation, association,  
26 limited liability company, professional corporation, partnership, limited  
27 partnership, sole proprietorship, business trust, trust, joint venture and  
28 other business entity.

29 ~~9.~~ 8. "Casket" means a rigid container that is designed for the  
30 permanent encasement of human remains and that is usually constructed of  
31 wood, metal or synthetic substances and ornamented and lined with fabric.

32 ~~10.~~ 9. "Change of ownership" means a transfer of a controlling legal  
33 or equitable interest in a licensed funeral establishment or crematory  
34 resulting from a sale or merger. If the establishment or crematory is  
35 operated by a business entity, any transfer of the ownership of ten per cent  
36 or more of the entity constitutes a change of ownership.

37 ~~11.~~ 10. "Conviction" means a criminal adjudication or conviction by  
38 any state or federal court of competent jurisdiction, including a judgment  
39 based on a no contest plea, without regard to whether civil rights have been  
40 restored.

41 ~~12.~~ 11. "Cremated remains" means the remaining bone fragments after  
42 cremation.

43 ~~13.~~ 12. "Cremation" means the heating process that reduces human  
44 remains to bone fragments by combustion and evaporation.

1       ~~14.~~ 13. "Cremation container" means a leak and spill resistant, rigid,  
2 combustible, closed receptacle into which human remains are placed before  
3 cremation.  
4       ~~15.~~ 14. "Cremationist" means a person who operates a crematory retort,  
5 who performs the actual cremation of human remains and who is licensed  
6 pursuant to article 6 of this chapter.  
7       ~~16.~~ 15. "Crematory" means a building or portion of a building that is  
8 licensed pursuant to article 6 of this chapter and that houses a retort in  
9 which only human remains are cremated.  
10       ~~17.~~ 16. "Disciplinary action" means action taken by the board to  
11 revoke or suspend a license or registration, to impose probationary  
12 requirements or civil penalties or to issue a letter of censure or reprimand  
13 to any person who is subject to this chapter and who violates any provision  
14 of this chapter or rules adopted by the board.  
15       ~~18.~~ 17. "Embalmer" means a person who is licensed pursuant to this  
16 chapter and who is engaged in embalming.  
17       ~~19.~~ 18. "Embalmer's assistant" means a person who is registered  
18 pursuant to this chapter and who is engaged in embalming without the  
19 supervision of a licensed embalmer.  
20       ~~20.~~ 19. "Embalming" means the implementation of reconstructive  
21 procedures and the process of disinfecting and preserving a dead human body  
22 to retard organic decomposition by treating the body to reduce the presence  
23 and growth of organisms.  
24       ~~21.~~ 20. "Financial institution" means a bank, savings and loan  
25 association, trust company or credit union that is lawfully doing business in  
26 this state and that is not affiliated with a funeral establishment.  
27       ~~22.~~ 21. "Fixed price prearranged funeral agreement funded by trust"  
28 means any agreement or combination of agreements that establishes a fixed  
29 price for funeral goods and services, that requires a funeral establishment  
30 to provide those funeral goods and services at the price levels in effect at  
31 the time of the execution of the agreement and that requires the purchaser to  
32 convey all or a portion of the accrued interest to the funeral establishment  
33 at the time that the funeral goods and services are actually provided.  
34       ~~23.~~ 22. "Funded by insurance" means that monies for a prearranged  
35 funeral agreement are paid directly to an insurance company licensed pursuant  
36 to title 20 on behalf of the beneficiary of the agreement.  
37       ~~24.~~ 23. "Funeral directing" means arranging, directing or providing a  
38 service in the disposition of dead human bodies for compensation.  
39       ~~25.~~ 24. "Funeral director" means a person who is licensed pursuant to  
40 this chapter and who is engaged in funeral directing.  
41       ~~26.~~ 25. "Funeral establishment" means a business at a specific  
42 location that is licensed pursuant to this chapter and that is devoted to the  
43 care, storage or preparation for final disposition or transportation of dead  
44 human bodies.

1           ~~27.~~ 26. "Funeral goods and services" means any personal property or  
2 services typically sold or provided in connection with the final disposition  
3 of human remains, including caskets, alternative containers, outer burial  
4 containers, cremation containers, transportation containers, funeral clothing  
5 or accessories, monuments, grave markers, urns, embalming services, funeral  
6 directing services and similar funeral or burial items. Funeral goods and  
7 services ~~does~~ DO not include goods and services sold by cemeteries.

8           ~~28.~~ 27. "Good moral character" means that a person:

9           (a) Has not been convicted of a class 1 or 2 felony by a court of  
10 competent jurisdiction.

11           (b) Has not, within five years of application for licensure or  
12 registration, been convicted of a felony or misdemeanor if the offense has a  
13 reasonable relationship to the person's proposed area of licensure or  
14 registration.

15           (c) Has not, within five years of application for licensure or  
16 registration, committed any act involving dishonesty, fraud,  
17 misrepresentation, breach of fiduciary duty, gross negligence or incompetence  
18 if the act has a reasonable relationship to the person's proposed area of  
19 licensure or registration.

20           (d) Is not currently incarcerated in or on community supervision after  
21 a period of imprisonment in a local, state or federal penal institution or on  
22 criminal probation.

23           (e) Has not engaged in fraud or misrepresentation in connection with  
24 an application for licensure or registration under this chapter or an  
25 examination required for licensure or registration.

26           (f) Has not, within five years of application for licensure or  
27 registration, had a license, registration or endorsement revoked or suspended  
28 by the board or by the funeral services licensing authority of any other  
29 jurisdiction.

30           (g) Has not surrendered a license, registration or endorsement to the  
31 board or the funeral licensing authority of any other jurisdiction in lieu of  
32 disciplinary action.

33           (h) Has not practiced funeral directing or embalming without a license  
34 in this state or any other jurisdiction that requires licensure to perform  
35 these activities.

36           ~~29.~~ 28. "Holding facility" means a designated area for the retention  
37 of human remains.

38           ~~30.~~ 29. "Human remains" means a lifeless human body or parts of a  
39 human body that permit a reasonable inference that death occurred.

40           ~~31.~~ 30. "Intern" means a person who is licensed pursuant to this  
41 chapter and who is engaged in embalming under the supervision of a licensed  
42 embalmer.

43           31. "INTERN TRAINEE" MEANS A PERSON WHO INTENDS TO ENTER TRAINING AS AN  
44 INTERN AND WHO IS TEMPORARILY EMPLOYED BY A FUNERAL ESTABLISHMENT.

1           32. "License" means a written authorization that is issued by the board  
2 and that entitles a person to act as a funeral director, embalmer or intern  
3 or to operate a funeral establishment or crematory in this state.

4           33. "Licensee" means a person to whom the board has issued a license to  
5 act as a funeral director, embalmer or intern or to operate a funeral  
6 establishment or crematory in this state.

7           34. "Manage" means:

8           (a) For a responsible funeral director to exercise control and  
9 oversight over all employees of a funeral establishment and over funeral  
10 transactions, including the care of dead human bodies, funeral services and  
11 activities and the documentation and retention of records.

12           (b) For a responsible cremationist to exercise control and oversight  
13 over all employees of a crematory and crematory operations.

14           35. "National board examination" means the test or tests given by the  
15 conference of funeral service examining boards to determine the entry level  
16 knowledge and skills of a person regarding funeral directing and embalming.

17           36. "Net interest" means interest earned on a prearranged funeral trust  
18 account less applicable taxes, reasonable and necessary charges made by the  
19 financial institution and the annual service fee permitted to be deducted by  
20 the funeral establishment according to section 32-1391.06, subsection B.

21           37. "Outer burial container" means a container that is designed for  
22 placement in a grave around a casket, including burial vaults, grave boxes  
23 and grave liners.

24           38. "Owner" means a person who owns ten per cent or more of a business  
25 entity. Owner does not include shareholders of companies who have a class of  
26 common equity stock listed or authorized to be listed on the New York stock  
27 exchange or the American stock exchange or listed on the NASDAQ stock market.

28           39. "Person legally responsible" means the person responsible for  
29 burying a dead body as determined in section 36-831.

30           40. "Prearranged funeral agreement" means any agreement or combination  
31 of agreements under which a payment is made before the death of the intended  
32 beneficiary for funeral goods and services to be delivered or performed after  
33 the death of the beneficiary.

34           41. "Prearranged funeral trust account" means a trust account that is  
35 established at a financial institution and into which all monies paid on  
36 behalf of a beneficiary pursuant to a prearranged funeral agreement are  
37 deposited.

38           42. "Preparation" means washing, shaving, dressing or arranging hair  
39 on, applying cosmetics to or positioning bodily features on a dead human body  
40 and placing a dead human body in a casket.

41           43. "Processed cremated remains" means cremated remains after they are  
42 pulverized and cleaned, leaving primarily small bone fragments.

43           44. "Provisionally accredited" means granted candidacy status by the  
44 American board of funeral service education.

1           45. "Registration" means a written authorization that is issued by the  
2 board and that entitles a person to act as ~~an apprentice embalmer~~, an  
3 assistant funeral director, an embalmer's assistant or a prearranged funeral  
4 salesperson in this state.

5           46. "Responsible cremationist" means a licensed cremationist who  
6 manages a crematory.

7           47. "Responsible funeral director" means a person who is licensed  
8 pursuant to this chapter, who is engaged in funeral directing and who manages  
9 and is accountable for a funeral establishment.

10          48. "Retort" means an enclosed space within which cremation takes  
11 place.

12          49. "State equivalent examination" means the test or tests provided by  
13 the conference of funeral service examining boards and offered by the board  
14 to determine the entry level knowledge and skills of a person regarding  
15 funeral directing and embalming.

16          50. "Supervise" or "supervision" means a licensed embalmer has  
17 responsibility for and is within sight and sound of a ~~registered apprentice~~  
18 ~~embalmer or~~ licensed intern who is embalming a dead human body or a student  
19 who is assisting in embalming a dead human body.

20          51. "Temporary container" means a receptacle that is usually made of  
21 cardboard, rigid plastic or another similar material and that is designed to  
22 hold processed cremated remains until they are placed in an urn or another  
23 permanent container.

24          52. "Trust funds" means all monies deposited on behalf of a beneficiary  
25 of a prearranged funeral agreement funded by trust and all accrued net  
26 interest. Trust funds shall be considered an account kept in suspense until  
27 distributed to the beneficiary, the funeral establishment or the estate of  
28 the beneficiary in accordance with this article.

29          53. "Universal precautions" means the universal blood and fluid  
30 precautions recommended by the centers for disease control of the United  
31 States public health service to prevent the transmission of blood-borne and  
32 bodily fluid-borne infectious diseases.

33          54. "Unprofessional conduct" includes the following acts, whether  
34 occurring in this state or elsewhere:

35           (a) Commission of a class 1 or 2 felony.

36           (b) Commission of a felony or misdemeanor if the offense has a  
37 reasonable relationship to funeral directing or embalming. Conviction by any  
38 court of competent jurisdiction or a plea of no contest is conclusive  
39 evidence of the commission.

40           (c) Providing false, misleading or deceptive information on an  
41 application for licensure or registration pursuant to this chapter or on an  
42 examination required for licensure or registration.

43           (d) Bribing or offering to bribe, directly or indirectly, a member of  
44 the board to influence the member's actions in the performance of the  
45 member's duties.

1 (e) Wilfully interfering with an embalmer, funeral director or  
2 cremationist who has lawful custody of a dead human body in the performance  
3 of the embalmer's, funeral director's or cremationist's duty to embalm or  
4 prepare the body for burial, transportation or cremation.

5 (f) Paying or causing money or other valuable consideration to be paid  
6 to a person, other than an employee of a funeral establishment, to secure  
7 business regulated pursuant to this chapter from or through the person.

8 (g) Violating any law of this state or any rule adopted by the  
9 department of health services that relates to the embalming or preparation of  
10 dead human bodies.

11 (h) Certifying falsely to having embalmed or prepared a dead human  
12 body that was embalmed by a person other than a licensed embalmer making the  
13 certification or an intern ~~or apprentice embalmer~~ under the supervision of a  
14 licensed embalmer making the certification.

15 (i) Falsely advertising or labeling any service or merchandise with  
16 the intention of deceiving the public.

17 (j) Shipping or delivering any merchandise or supplies that are not  
18 the substantial equivalent of or superior in quality to merchandise or  
19 supplies previously presented to the purchaser as samples.

20 (k) Committing any act involving dishonesty, fraud, misrepresentation,  
21 breach of fiduciary duty, gross negligence or incompetence if the act has a  
22 reasonable relationship to funeral directing or embalming.

23 (l) Engaging in any conduct or practice that is reasonably related to  
24 funeral directing or embalming and that is or may be harmful or dangerous to  
25 the health, safety or welfare of the public.

26 (m) Within a period of five years, having a license, registration or  
27 endorsement suspended or revoked by the board or by the funeral services  
28 licensing authority of any other jurisdiction or surrendering a license,  
29 registration or endorsement in lieu of disciplinary action.

30 55. "Urn" means a receptacle into which processed cremated remains are  
31 placed for disposition.

32 Sec. 2. Section 32-1309, Arizona Revised Statutes, is amended to read:  
33 32-1309. Fees

34 A. The board shall establish and collect the following application  
35 fees:

- 36 1. For a funeral director license, eighty-five dollars.
- 37 2. For an embalmer license, eighty-five dollars.
- 38 3. For an embalmer's assistant registration, eighty-five dollars.
- 39 4. For an intern license, eighty-five dollars.
- 40 5. For a funeral director or embalmer license for a person who does  
41 not reside in this state, eighty-five dollars.
- 42 6. For a prearranged funeral salesperson registration, eighty-five  
43 dollars.
- 44 7. For a funeral establishment license:

- 1 (a) For a new establishment, new owner or new location, five hundred  
2 dollars.
- 3 (b) For a change of name, one hundred seventy-five dollars.
- 4 8. For a prearranged funeral sales establishment endorsement, one  
5 hundred eighty-five dollars.
- 6 9. For a crematory license:
- 7 (a) For a new crematory, new owner or new location, one hundred  
8 dollars per retort.
- 9 (b) For a change of name, one hundred seventy-five dollars.
- 10 10. For a cremationist license, eighty-five dollars.
- 11 B. The board shall establish and collect the following examination  
12 fees:
- 13 1. For the funeral director state laws and rules examination, eighty  
14 dollars.
- 15 2. For the embalmer state laws and rules examination, eighty dollars.
- 16 3. For the prearranged funeral salesperson state laws and rules  
17 examination, eighty dollars.
- 18 4. For the funeral service science section of the state equivalent  
19 examination, one hundred fifty dollars.
- 20 5. For the funeral service arts section of the state equivalent  
21 examination, one hundred fifty dollars.
- 22 C. The board shall establish and collect the following license and  
23 registration issuance fees:
- 24 1. For a funeral director license, eighty-five dollars.
- 25 2. For an embalmer license, eighty-five dollars.
- 26 3. For an embalmer's assistant registration, eighty-five dollars.
- 27 4. For an intern license, eighty-five dollars.
- 28 5. For a prearranged funeral salesperson registration, eighty-five  
29 dollars.
- 30 6. For a cremationist license, eighty-five dollars.
- 31 D. The board shall establish and collect the following renewal fees:
- 32 1. For a funeral director license, eighty-five dollars.
- 33 2. For an embalmer license, eighty-five dollars.
- 34 3. For an embalmer's assistant registration, eighty-five dollars.
- 35 4. For an intern license, eighty-five dollars.
- 36 ~~5. For an apprentice embalmer registration, eighty-five dollars.~~
- 37 ~~6.~~ 5. For an assistant funeral director registration, eighty-five  
38 dollars.
- 39 ~~7.~~ 6. For a prearranged funeral salesperson registration, eighty-five  
40 dollars.
- 41 ~~8.~~ 7. For an establishment license, four dollars for each disposition  
42 performed by the establishment during the immediately preceding calendar  
43 year. For the purposes of this paragraph, a funeral establishment performs a  
44 disposition each time the establishment files a death certificate pursuant to  
45 section 36-325.

1       ~~9-~~ 8. For a prearranged funeral sales establishment endorsement, one  
2 hundred eighty-five dollars.

3       ~~10-~~ 9. For a crematory license, two hundred dollars per retort.

4       ~~11-~~ 10. For a cremationist license, eighty-five dollars.

5       E. The board shall establish and collect the following fees:

6       1. For a duplicate license or registration, twenty-five dollars.

7       2. For a reexamination:

8       (a) For a state laws and rules examination, fifty dollars.

9       (b) For the funeral service science section or the funeral service  
10 arts section of the state equivalent examination, sixty-five dollars.

11       3. For late renewal of a licensee or registration, thirty-five  
12 dollars.

13       4. For late renewal of an establishment license or endorsement, sixty  
14 dollars.

15       5. For inactive licensure or registration, twenty-five dollars.

16       6. For reinstatement of an inactive license, fifty dollars.

17       7. For reinstatement of an inactive registration, one hundred thirty  
18 dollars.

19       8. For an interim funeral establishment permit, twenty-five dollars.

20       9. For filing an annual trust report, a fee of not more than two  
21 hundred dollars.

22       10. For filing a late or incomplete annual trust report, a penalty of  
23 not more than two hundred dollars.

24       F. THE BOARD MAY ESTABLISH AND COLLECT A FEE FOR INTERN TRAINEES IN AN  
25 AMOUNT TO BE DETERMINED BY THE BOARD.

26       Sec. 3. Repeal

27       Section 32-1324, Arizona Revised Statutes, is repealed.

28       Sec. 4. Title 32, chapter 12, article 2, Arizona Revised Statutes, is  
29 amended by adding section 32-1324.01, to read:

30       32-1324.01. Intern trainee; requirements; temporary employment  
31       by funeral establishment

32       A. A FUNERAL ESTABLISHMENT MAY EMPLOY FOR A PERIOD OF NOT MORE THAN A  
33 TOTAL OF ONE YEAR AN INTERN TRAINEE WHO IS ENROLLED OR INTENDS TO ENROLL IN A  
34 COLLEGE OF MORTUARY SCIENCE AS A STUDENT.

35       B. AN INTERN TRAINEE WHO HAS COMPLETED AT LEAST SIXTEEN HOURS OF  
36 TRAINING IN A BOARD-APPROVED COURSE OF STUDY THAT INCLUDES TRAINING IN  
37 EMBALMING PROCEDURES, ETHICS OF FUNERAL SERVICE, APPLICABLE BOARD RULES,  
38 HEALTH AND SAFETY PROCEDURES AND UNIVERSAL HEALTH AND SAFETY PRECAUTIONS MAY  
39 DO THE FOLLOWING:

40       1. ASSIST IN THE PREPARATION OF HUMAN REMAINS.

41       2. ASSIST WITH AN EMBALMING AT THE FUNERAL ESTABLISHMENT IF THE INTERN  
42 TRAINEE IS UNDER THE DIRECT PERSONAL SUPERVISION OF AN EMBALMER AT ALL TIMES.

43       3. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, PERFORM ALL OTHER  
44 FUNCTIONS OF A LICENSED INTERN UNDER THE SUPERVISION OF AN EMBALMER OR A  
45 FUNERAL DIRECTOR.

1 C. AN INTERN TRAINEE SHALL BE OF GOOD MORAL CHARACTER AND IS NOT  
2 REQUIRED TO BE REGISTERED OR LICENSED BY THE BOARD.

3 D. A FUNERAL ESTABLISHMENT THAT EMPLOYS AN INTERN TRAINEE SHALL SUBMIT  
4 ALL OF THE FOLLOWING TO THE BOARD:

5 1. THE NAME AND ADDRESS OF THE INTERN TRAINEE AND OTHER INFORMATION  
6 THAT THE BOARD REQUIRES.

7 2. A COMPLETED FINGERPRINT CARD AND THE PRESCRIBED FINGERPRINT  
8 BACKGROUND CHECK FEE FOR ANY PERSON EMPLOYED AS AN INTERN TRAINEE.

9 E. THE FUNERAL ESTABLISHMENT SHALL REPORT TO THE BOARD THE TERMINATION  
10 OF EMPLOYMENT OF THE INTERN TRAINEE.

11 Sec. 5. Section 32-1325.01, Arizona Revised Statutes, is amended to  
12 read:

13 32-1325.01. Embalmer's assistants; qualifications; application  
14 for registration

15 A. An applicant for registration as an embalmer's assistant shall:

16 ~~1. Have been registered as an apprentice embalmer for at least five~~  
17 ~~continuous years.~~

18 ~~2.~~ 1. Not have had any disciplinary action taken against the person's  
19 registration by the board within the last five years.

20 ~~3.~~ 2. Pass a practical examination demonstrating the person's  
21 competence in embalming and safety procedures.

22 B. An applicant for registration as an embalmer's assistant shall  
23 submit a completed application on a form prescribed by the board. The  
24 application shall be subscribed under oath and shall be accompanied by:

25 1. Any educational, professional and employment information required  
26 by the board in its rules.

27 ~~2. Proof of the applicant's employment as an apprentice embalmer at an~~  
28 ~~establishment licensed under article 4 of this chapter under the supervision~~  
29 ~~of an embalmer licensed under this article.~~

30 ~~3.~~ 2. A completed fingerprint card and the prescribed fingerprint  
31 background check fee.

32 ~~4.~~ 3. Any other information required by the board.

33 ~~5.~~ 4. All applicable fees pursuant to section 32-1309.

34 C. If the board finds that the applicant meets the criteria for  
35 registration under this article and rules adopted by the board, the board  
36 shall issue an embalmer's assistant registration.

37 Sec. 6. Section 32-1330, Arizona Revised Statutes, is amended to read:

38 32-1330. Annual intern or embalmer assistant report

39 A person who is registered as an ~~apprentice embalmer or~~ embalmer's  
40 assistant or licensed as an intern shall submit to the board, at the time  
41 that the person applies to renew the person's registration or license, an  
42 annual report on a form prescribed by the board. The report shall be  
43 subscribed under oath by the ~~apprentice embalmer~~ EMBALMER'S ASSISTANT or  
44 intern and the supervising embalmer and shall contain information documenting

1 each embalming that the ~~apprentice embalmer~~ EMBALMER'S ASSISTANT or intern  
2 assisted in or performed.

3 Sec. 7. Section 32-1331, Arizona Revised Statutes, is amended to read:

4 32-1331. Renewal of licenses and registration; reinstatement of  
5 registration

6 A. Except as provided in section 32-4301, each license and each  
7 registration issued under this article expires on August 1 of each year.

8 B. A licensee or a registrant shall submit a renewal application and  
9 the applicable renewal fee pursuant to section 32-1309 on or before July 1 of  
10 each year. A license or registration renewal fee is nonrefundable.

11 C. A licensee or a registrant who submits a renewal application and  
12 the applicable renewal fee after July 1 but before August 1 shall pay a late  
13 fee pursuant to section 32-1309 in addition to the renewal fee.

14 D. A licensee who fails to submit a renewal application and the  
15 applicable fee on or before August 1 shall apply for licensure as an original  
16 applicant. A person who submits a license application within three years  
17 after the date that the person's license expires is not required to pass the  
18 national board examination or state equivalent examination.

19 E. A registered assistant funeral director who fails to submit a  
20 renewal application and the applicable renewal fee on or before August 1:

21 1. Is not eligible for renewal of the person's registration.

22 2. May apply for a funeral director license pursuant to this article.

23 F. An ~~apprentice embalmer or~~ embalmer's assistant who fails to submit  
24 a renewal application and the applicable renewal fee on or before August 1  
25 may apply for reinstatement of the person's registration by submitting a  
26 completed reinstatement application on a form prescribed by the board and the  
27 applicable reinstatement fee within one year after the date that the person's  
28 registration expires.

29 G. An intern license may not be renewed more than three times.

30 Sec. 8. Section 32-1333, Arizona Revised Statutes, is amended to read:

31 32-1333. Notice of change in employment

32 A. An intern who is licensed or an ~~apprentice embalmer or~~ embalmer's  
33 assistant who is registered under this article shall notify the board in  
34 writing within ten business days after a change in employment. The notice  
35 shall include the names of the new establishment and, if applicable, the new  
36 supervising licensed funeral director or embalmer.

37 B. An embalmer or funeral director who is licensed under this article  
38 shall notify the board in writing within ten business days after a change in  
39 employment. The notice shall include the names of the former and the new  
40 establishment.

41 C. A responsible funeral director who is licensed under this article  
42 shall notify the board in writing within five business days after a change in  
43 employment, excluding Saturdays, Sundays and other legal holidays.

1           Sec. 9. Section 32-1361, Arizona Revised Statutes, is amended to read:  
2           32-1361. Prohibition of embalming by certain persons:  
3                                   certification of embalming

4           A. Only a licensed embalmer, a licensed intern, a registered  
5 embalmer's assistant, ~~a registered apprentice embalmer~~ or a student who  
6 assists a licensed embalmer in the embalming of dead human bodies pursuant to  
7 section 32-1337 shall embalm a dead human body. A licensed intern,   
8 ~~registered apprentice embalmer~~ or student may only embalm a dead human body  
9 under the direct supervision of a licensed embalmer.

10           B. A licensed embalmer who embalms or supervises the embalming of a  
11 dead human body shall certify the embalming with the embalmer's signature and  
12 license number.