

REFERENCE TITLE: funeral establishment licenses; technical correction

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1074

Introduced by
Senator Tibshraeny

AN ACT

AMENDING SECTION 32-1388, ARIZONA REVISED STATUTES; RELATING TO FUNERAL ESTABLISHMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-1388, Arizona Revised Statutes, is amended to
3 read:

4 32-1388. Nontransferability of funeral establishment licenses;
5 change of ownership; interim permits; definition

6 A. A funeral establishment license issued by the board is not
7 transferable or subject to sale or assignment, whether by voluntary or
8 involuntary process.

9 B. When there is a change of ownership of a funeral establishment, the
10 licensee shall notify the board in writing and shall surrender the license to
11 the board within twenty days after the change of ownership. The new owner
12 shall also notify the board in writing within twenty days after the change of
13 ownership and shall submit an application for a funeral establishment license
14 to the board pursuant to section 32-1383.

15 C. The board shall issue an interim permit to a new owner of a
16 licensed funeral establishment to allow the new owner to continue the
17 operation of the establishment during the period that the new owner's license
18 application is pending if the following conditions are met:

19 1. The new owner notifies the board of the change of ownership and
20 submits an application for an interim permit and the applicable fee pursuant
21 to section 32-1309 ~~at least~~ WITHIN three days, excluding Saturdays, Sundays
22 and holidays, after the change takes place. Notice shall be given during
23 regular business hours.

24 2. The funeral establishment continues to meet the requirements of
25 section 32-1382.

26 D. An interim permit issued by the board pursuant to this section
27 shall be for not more than forty-five days and shall not be extended except
28 as provided in subsection E of this section. An interim permit is a
29 conditional permit and authorizes the holder to operate a funeral
30 establishment as would be permitted under a funeral establishment license
31 issued pursuant to this article. The holder of an interim permit is subject
32 to the licensing rules and disciplinary proceedings prescribed in this
33 chapter and in rules adopted pursuant to this chapter.

34 E. Notwithstanding subsection D of this section, for good cause shown,
35 the board may extend an interim permit for not more than forty-five days.

36 F. Until an interim permit is issued, the board shall keep
37 confidential all notices filed with the board by the prospective new owner of
38 a licensed funeral establishment pursuant to this section.

39 G. For the purposes of this section, "regular business hours" means
40 between the hours of 8:00 a.m. and 5:00 p.m. on any day of the week other
41 than Saturday, Sunday or any other legal holiday or a day on which the board
42 is authorized or obligated by law or executive order to close.