WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5433

By Delegate Horst

[Introduced February 02, 2024; Referred to the Committee on Government Organization]

A BILL to amend and reenact §30-6-8 and §30-6-9 of the Code of West Virginia, 1931, as amended, relating to modifying the education and apprenticeship requirements to obtain a license for funeral directors and embalmers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. BOARD OF FUNERAL SERVICE EXAMINERS.

§30-6-8. Embalmer license requirements.

The board shall issue a license to practice embalming to an applicant who:

(a) Is free of a felony conviction bearing a rational nexus to the profession pursuant to §30-1-24 of this code;

(b) Is 18 years of age or over;

(c) Is a citizen of the United States or is eligible for employment in the United States;

(d) Has a high school diploma or its equivalent;

~~(e) Has completed one of the following education requirements, as evidenced by a transcript submitted to the board for evaluation:~~

~~(1)(A) Has an associate degree from an accredited college or university; or~~

~~(2) Has successfully completed at least 60 semester hours or 90 quarter hours of academic work in an accredited college or university toward a baccalaureate degree with a declared major field of study; and~~

~~(3)~~ ~~Has graduated from a school of mortuary science, accredited by the American Board of Funeral Service Education, Inc., which requires as a prerequisite to graduation the completion of a course of study of not less than 12 months; or~~

~~(B) Has a bachelor degree in mortuary science from an accredited college or university;~~

(e) Has graduated from a school of mortuary science, accredited by the American Board of Funeral Service Education, Inc., which requires as a prerequisite to graduation the completion of a course of study of not less than 12 months;

(f) Has completed a one-year apprenticeship:

(A) Under the supervision of a licensed embalmer and funeral director actively and lawfully engaged in the practice of embalming and funeral directing in this state; ~~which apprenticeship consisted of~~ or

(B) For a mortuary school for embalmers.

~~(1) Diligent attention to the work in the course of regular and steady employment and not as a side issue to another employment; and~~

~~(2) The apprentice taking an active part in:~~

~~(A) The operation of embalming not less than 35 dead human bodies; and~~

~~(B) Conducting not less than 35 funeral services~~

(g) Passes, with an average score of not less than 75 percent, the following examinations:

(1) The International Conference of Funeral Service Examining Boards examination at a testing site provided by the national conference, which passage is a condition precedent to taking the state law examination;

(2) The West Virginia Laws, Rules, and Regulations Examination, administered by the International Conference of Funeral Service Examining Boards; and

(3) Any other examination required by the board; and

(h) Has paid all the appropriate fees.

A license to practice embalming issued by the board prior to July 1, 2012, shall for all purposes be considered a license issued under this section: *Provided*, That a person holding a license issued prior to July 1, 2012, must renew the license pursuant to the provisions of this article.

§30-6-9. Funeral director license requirements.

(a) The board shall issue a license to practice funeral directing to an applicant who meets the following requirements:

(1) ~~Completed a bachelor’s degree from an accredited institution~~ Has successfully completed a program of study in Funeral Services Education consisting of not less than 30 hours from a school accredited by the American Board of Funeral Service Education and evidenced by an official transcript; and

(2) Either completed a two-year apprenticeship under the supervision of a licensee in charge or an active licensed funeral director~~; and~~ or completed a one-year apprenticeship with a mortuary school.

(3) Has paid all the appropriate fees; and

~~(b) The two-year apprenticeship must consist of the following work:~~

~~(1) Diligent attention to the work in the course, or regular and steady employment, and not as a side issue to another employment;~~

~~(2) Conducting not less than 35 disposition arrangements for individuals;~~

~~(3) Conducting not less than 35 funeral and/or memorial services; and~~

(4) Passes with an average score of not less than 75 percent, the West Virginia Laws, Rules, and Regulations Examination.

~~(c)~~(b) A license to practice funeral directing issued by the board prior to July 1, 2002, shall for all purposes be considered a license issued under this section: *Provided*, That a person holding a license issued prior to July 1, 2022, must renew the license pursuant to the provisions of this article.

NOTE: The purpose of this bill is to modify the education and apprenticeship requirements to obtain a license for funeral directors and embalmers.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.