

1999 ASSEMBLY BILL 869

March 9, 2000 – Introduced by Representative JESKEWITZ, cosponsored by Senator GEORGE, by request of Secretary Marlene A. Cummings and the Department of Regulation and Licensing. Referred to Committee on Consumer Affairs.

1 **AN ACT to amend** 445.06 of the statutes; **relating to:** eliminating certificates in
2 good standing for funeral director licensees.

Analysis by the Legislative Reference Bureau

Under current law, a person who has been granted a funeral director's license by the funeral directors examining board (board) must apply to renew the license after the expiration of a two-year licensure period. The application must include proof that the applicant has completed certain continuing education requirements and is doing business at a recognized funeral establishment. However, if a person is not doing business at a recognized funeral establishment, he or she may be granted a certificate in good standing as a funeral director by the board. A person who has been granted such a certificate may renew his or her license at any time during the subsequent two-year licensure period if he or she is able to submit proof that he or she is doing business at a recognized funeral establishment.

This bill eliminates certificates in good standing as a funeral director. The bill also provides for a 12-month transitional period during which the board is required to restore the funeral director licenses of certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted for a license that was granted or last renewed before July 1, 1995, the board must restore his or her license if he or she demonstrates competence as a funeral director by a method satisfactory to the board, including by passing a written or oral examination or providing specified documentation to the board. If the board requires an examination, it may not be more stringent than the examination on Wisconsin law that is required for persons with licenses granted by other jurisdictions who apply

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for a reciprocal license from the board. In addition, the person must submit proof that he or she has completed at least 15 hours of continuing education during the past two years.

Under this bill, if a person holds a valid certificate that was granted for a license that was granted or last renewed on or after July 1, 1995, the board must restore his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

Finally, the bill specifies that no fee may be charged for a person who applies for restoration of a license under the bill or who takes an examination that is required for restoration of a license under the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 445.06 of the statutes is amended to read:

2 **445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral
3 directors' director's license are specified under s. 440.08 (2) (a). ~~Before any renewal~~
4 license is delivered to any licensed funeral director, proof must be furnished by the
5 applicant, to the satisfaction of the examining board, that the applicant is doing
6 business at a recognized funeral establishment, except that if such applicant is not
7 doing business at a recognized funeral establishment at the time of application for
8 a license, the applicant shall be given a certificate, without additional cost, to the
9 effect that the applicant is in good standing as a funeral director, and shall be entitled
10 to a renewal license at any time during that license period, when located at a
11 recognized funeral establishment, without payment of any additional renewal fee.
12 The An applicant for renewal of a funeral director's license must also furnish proof
13 of completion of at least 15 hours of continuing education during the ~~previous 2-year~~
14 licensure period immediately preceding the date of the application for renewal,

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1 except that new licensees are exempt from this requirement during the time between
2 initial licensure and commencement of a full 2-year licensure period.

3 **SECTION 2. Nonstatutory provisions.**

4 (1) DEFINITIONS. In this SECTION:

5 (a) “Board” means the funeral directors examining board.

6 (b) “Department” means the department of regulation and licensing.

7 (2) RESTORATION OF LICENSES GRANTED OR LAST RENEWED BEFORE JULY 1, 1995.

8 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the
9 statutes, as affected by this act, the board shall restore the funeral director’s license
10 of a person who holds a valid certificate in good standing as a funeral director that
11 was granted under section 445.06, 1997 stats., if the funeral director’s license was
12 granted or last renewed before July 1, 1995, and the person does each of the
13 following:

14 (a) No later than the first day of the 12th month beginning after the effective
15 date of this paragraph, applies for restoration of the license on a form provided by
16 the department.

17 (b) Provides evidence satisfactory to the board that he or she has completed at
18 least 15 hours of continuing education in courses approved by the board during the
19 2-year period immediately preceding the date of his or her application under
20 paragraph (a).

21 (c) Demonstrates competence as a funeral director by a method satisfactory to
22 the board, including by successfully passing a written or oral examination or
23 providing documentation satisfactory to the board of professional experience in other
24 jurisdictions or of educational or other professional experience. No examination
25 required under this paragraph may be more stringent than the examination on

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1 Wisconsin law that is used to test applicants for licensure by reciprocity under
2 section 445.08 of the statutes.

3 (3) RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.
4 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the
5 statutes, as affected by this act, the board shall restore the funeral director's license
6 of a person who holds a valid certificate in good standing as a funeral director that
7 was granted under section 445.06, 1997 stats., if the funeral director's license was
8 granted or last renewed on or after July 1, 1995, and the person does each of the
9 following:

10 (a) No later than the first day of the 12th month beginning after the effective
11 date of this paragraph, applies for restoration of the license on a form provided by
12 the department.

13 (b) Provides evidence satisfactory to the board that he or she has completed at
14 least 15 hours of continuing education in courses approved by the board during the
15 2-year period immediately preceding the date of his or her application under
16 paragraph (a).

17 (4) WAIVER OF FEES. Notwithstanding sections 440.05 (1) (b) and 440.08 (3) (a)
18 of the statutes, no fee may be charged for an examination or restoration of a license
19 under this section.

20 (END)