

Legislative Update for the Tennessee Board of Funeral Directors and Embalmers

Pursuant to Tenn. Code. Ann. § 4-3-1306(d), you are receiving this notice because you have elected to receive notification by e-mail of certain changes or potential changes to the law applicable to your profession.

The legislature passed one bill directly affecting Burial Services this year, Public Chapter 288, which can be found at <http://www.tn.gov/sos/acts/109/pub/pc0288.pdf>. This law amends multiple parts of the Cemetery Act (Act): it amends the definition of lawn crypts; it clarifies that cemeteries do not have to pay consumer protection fees for pre-need contracts that were written and then cancelled before the next renewal; it adds language to include in the Act not only those who sell but also those who lease or rent lots, grave spaces, crypts, niches, and burial rights; it increases the minimum amount to put into the Improvement Care Trust Fund for land from fifty cents to one dollar per square foot; it allows a cemetery to take a credit in the Improvement Care Trust Fund for cancelled contracts if the credit is applied within twelve months of the cancellation; it changes the amount of time cemeteries must wait to cancel contracts from twelve consecutive months of nonpayment to ninety days; and it gives guidelines for the timing of audit reports issued by Burial Services.

All these changes will take effect on January 1, 2016.