

Amendment - 1st Reading-white - Requested by: Mike Cuffe - (S) Business, Labor, and Economic Affairs

- 2023
68th Legislature 2023

Drafter: Erin Sullivan, 406-444-3594

SB0244.001.001

1 SENATE BILL NO. 244

2 INTRODUCED BY M. CUFFE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO MORTUARY SCIENCE
5 LICENSING; REVISING INTERNSHIP REQUIREMENTS TO OBTAIN A LICENSE REQUIRED FOR THE
6 PRACTICE OF MORTUARY SCIENCE; AMENDING SECTIONS 37-19-302 AND 37-19-304, MCA; AND
7 PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 37-19-302, MCA, is amended to read:

12 **"37-19-302. License required for practice of mortuary science -- qualifications of applicants. (1)**

13 The practice of mortuary science is limited to:

- 14 (a) licensed morticians;
- 15 (b) licensed interns; and
- 16 (c) students exempted under 37-19-308.
- 17 (2) A person 18 years of age or older wishing to practice mortuary science in this state ~~must~~shall
- 18 apply to the board on the form and in the manner prescribed by the board.
- 19 (3) To qualify for a mortician's license, a person must:
- 20 (a) be of good moral character;
- 21 (b) have graduated from an accredited college or university with an associate degree in mortuary
- 22 science;
- 23 (c) pass an examination prescribed by the board and pay the application fee set by the board by
- 24 rule; and
- 25 (d) serve a 1-year internship under the supervision of a licensed mortician in a licensed mortuary.
- 26 ~~The internship may be served prior to or after passing the examination provided for in subsection (3)(c).~~
- 27 (4) A person who fails the examination required in subsection (3)(c) may retake the examination

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1 under conditions prescribed by rule of the board."

2

3 **Section 2.** Section 37-19-304, MCA, is amended to read:

4 **"37-19-304. Issuance of intern's license -- license fee -- issuance of mortician's license on**
5 **completion of internship.** An applicant currently enrolled in or having already graduated from a program
6 qualifying under 37-19-302(3)(b) ~~who passes the examination provided for in 37-19-302~~ shall, upon payment of
7 a license fee prescribed by the board, be granted an intern mortician's license to practice mortuary science
8 under the supervision of a licensed mortician in a licensed mortuary in Montana ~~and, upon completion of 1~~
9 ~~year's internship and payment of the license fee, may apply for and receive a mortician's license."~~

10

11 NEW SECTION. **Section 3. Severability.** If a part of [this act] is invalid, all valid parts that are
12 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
13 the part remains in effect in all valid applications that are severable from the invalid applications.

14

15 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2023.

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- END -