

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Alabama Board of Funeral Service
Rule No. 395-X-4-.01
Rule Title: Original Inspection of Funeral Establishments.
_____ New X Amend _____ Repeal _____ Adopt by
Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

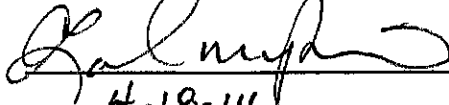
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 
Date 4-18-14

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-4-.01 Original Inspection of Funeral Establishments

INTENDED ACTION: The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-4-.01.

SUBSTANCE OF PROPOSED ACTION: The Board proposes to add language requiring an establishment to obtain a business license from the county or city municipality where the establishment is located before it can operate.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, June 4, 2014

Place: 11 South Union Street Suite 106, Montgomery, AL 36104

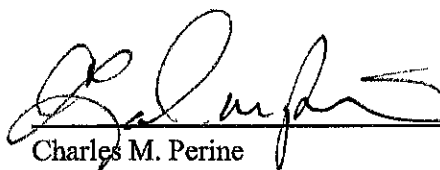
Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, June 4, 2014

CONTACT PERSON AT AGENCY:

Charles M. Perine
Executive Secretary
11 South Union Street
Suite 106
Montgomery, AL 36104



Charles M. Perine
Executive Secretary
Alabama Board of Funeral Service

Alabama Board of Funeral Service
ADMINISTRATIVE CODE

CHAPTER 395-X-4

INVESTIGATIONS AND INSPECTIONS

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395-X-4-.01 Original Inspection of Funeral Establishments.

(a). Before a funeral establishment may open for business:

1. An inspection of the premises must be made by one of the Board's staff or its members to verify that the establishment is in compliance with all rules and laws.

2. The establishment must obtain a current business license from the county or city municipality where the establishment is located.

(b). The Board shall charge a fee of one hundred fifty (150) dollars for the first inspection and one hundred fifty (150) dollars for any re-inspection necessitated by failure to meet minimum requirements in the first inspection.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-11, 34-13-26.

History: Amended: Filed August 8, 1986. **Amended:** Filed January 30, 2012; effective March 5, 2012. **Amended:** Filed April 18, 2014