

Senate File 563 - Enrolled

Senate File 563

AN ACT

RELATING TO THE LICENSURE OF CREMATORY OPERATORS AND FUNERAL ESTABLISHMENTS, AND MAKING PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 156.1, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. "Crematory operator" means a person licensed by the board to operate a cremation establishment and crematory equipment.

Sec. 2. NEW SECTION. **156.6 Crematory operators.**

1. The board shall adopt rules pursuant to chapter 17A for the licensure of crematory operators. The rules shall require an applicant to complete a specialized course in cremation, approved by the board, from a nationally recognized organization.

2. Notwithstanding subsection 1, the board shall issue a crematory operator license to a funeral director who submits an application in a form prescribed by the board.

Sec. 3. Section 156.9, Code 2025, is amended to read as follows:

156.9 Revocation of license to practice mortuary science or operate a cremation establishment.

1. Notwithstanding section 147.87, the board may restrict, suspend, or revoke a license to practice mortuary science or operate a cremation establishment, or place a licensee on probation. The board shall adopt rules of procedure pursuant to chapter 17A by which to restrict, suspend, or revoke a license. The board may also adopt rules pursuant to chapter 17A relating to conditions of license reinstatement.

2. In addition to the grounds stated in sections 147.55 and 272C.10, the board may revoke or suspend the license of, or otherwise discipline, a funeral director or crematory operator for any one of the following acts:

a. Knowingly misrepresenting any material matter to a prospective purchaser of funeral merchandise, furnishings, or services.

b. A violation of chapter 144 related to the practice of mortuary science or the operation of a cremation establishment.

c. Knowingly aiding, assisting, procuring, advising, or allowing a person to unlawfully practice mortuary science or operate a cremation establishment or crematory equipment.

d. Willful or repeated violations of this chapter, or the rules adopted pursuant to this chapter.

Sec. 4. Section 156.12, Code 2025, is amended to read as follows:

156.12 Funeral directors and crematory operators — solicitation of business — exceptions — penalty.

Every funeral director or crematory operator, or person acting on behalf of a funeral director or crematory operator, who pays or causes to be paid any money or other thing of value as a commission or gratuity for the securing of business for the funeral director or crematory operator, and every person who accepts or offers to accept any money or other thing of value as a commission or gratuity from a funeral director or crematory operator in order to secure business for the funeral director or crematory operator commits a simple misdemeanor. This section does not prohibit any person, firm, cooperative burial association, or corporation, subject to the provisions of this chapter, from using legitimate and honest advertising. This section does not apply to sales made in accordance with chapter 523A.

Sec. 5. Section 156.14, subsection 3, unnumbered paragraph 1,

Code 2025, is amended to read as follows:

To qualify for a funeral establishment ~~or a cremation establishment~~ license, the applicant shall submit to the board a license fee as determined by the board and a completed application on a form prescribed by the board that shall include the following information and be given under oath:

Sec. 6. Section 156.14, subsection 3, paragraph e, Code 2025, is amended to read as follows:

e. The name of the ~~individual~~ funeral director in charge, who has the authority and responsibility for the establishment's compliance with laws and rules pertaining to the operation of the establishment.

Sec. 7. Section 156.14, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. To qualify for a cremation establishment license, the applicant shall submit to the board a license fee as determined by the board and a completed application on a form prescribed by the board that shall include the following information and be given under oath:

- a. Ownership of the establishment.
- b. Location of the establishment.
- c. The license number of each funeral director or crematory operator employed by the establishment at the time of the application.
- d. The trade or corporate name of the establishment.
- e. The name of the funeral director or crematory operator in charge, who has the authority and responsibility for the establishment's compliance with laws and rules pertaining to the operation of the establishment.

Sec. 8. Section 156.14, subsection 4, Code 2025, is amended to read as follows:

4. A person who falsely makes the affidavit prescribed in subsection 3 or 3A is subject to all penalties prescribed for making a false affidavit.

Sec. 9. Section 156.15, subsection 2, paragraph c, Code 2025, is amended to read as follows:

- c. Knowingly aided, assisted, procured, advised, or allowed

a person to unlawfully practice mortuary science or unlawfully operate a crematory establishment or crematory equipment.

AMY SINCLAIR
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 563, Ninety-first General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2026

KIM REYNOLDS
Governor

unofficial