

**Senate File 563 - Introduced**

SENATE FILE 563  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SF 198)

**A BILL FOR**

1 An Act relating to the licensure of crematory operators and  
2 funeral establishments, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

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

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

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

16 **156.9 Revocation of license to practice mortuary science or**  
17 **operate a cremation establishment.**

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

25 2. In addition to the grounds stated in sections 147.55 and  
26 272C.10, the board may revoke or suspend the license of, or  
27 otherwise discipline, a funeral director or crematory operator  
28 for any one of the following acts:

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

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

34 c. Knowingly aiding, assisting, procuring, advising, or  
35 allowing a person to unlawfully practice mortuary science or

1 operate a cremation establishment or crematory equipment.

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

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

6 **156.12 Funeral directors and crematory operators —**  
7 **solicitation of business — exceptions — penalty.**

8 Every funeral director or crematory operator, or person acting  
9 on behalf of a funeral director or crematory operator, who  
10 pays or causes to be paid any money or other thing of value  
11 as a commission or gratuity for the securing of business for  
12 the funeral director or crematory operator, and every person  
13 who accepts or offers to accept any money or other thing of  
14 value as a commission or gratuity from a funeral director or  
15 crematory operator in order to secure business for the funeral  
16 director or crematory operator commits a simple misdemeanor.  
17 This section does not prohibit any person, firm, cooperative  
18 burial association, or corporation, subject to the provisions of  
19 this chapter, from using legitimate and honest advertising. This  
20 section does not apply to sales made in accordance with chapter  
21 523A.

22 Sec. 5. Section 156.14, subsection 3, unnumbered paragraph 1,  
23 Code 2025, is amended to read as follows:

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

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

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

35 Sec. 7. Section 156.14, Code 2025, is amended by adding the

1 following new subsection:

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

7 a. Ownership of the establishment.

8 b. Location of the establishment.

9 c. The license number of each funeral director or crematory  
10 operator employed by the establishment at the time of the  
11 application.

12 d. The trade or corporate name of the establishment.

13 e. The name of the funeral director or crematory operator  
14 in charge, who has the authority and responsibility for the  
15 establishment's compliance with laws and rules pertaining to the  
16 operation of the establishment.

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

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

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

24 c. Knowingly aided, assisted, procured, advised, or allowed  
25 a person to unlawfully practice mortuary science or unlawfully  
26 operate a crematory establishment or crematory equipment.

27 **EXPLANATION**

28 The inclusion of this explanation does not constitute agreement with  
29 the explanation's substance by the members of the general assembly.

30 This bill relates to the licensure of crematory operators  
31 and funeral establishments. The bill requires the board of  
32 mortuary science (board) to adopt rules for the licensure of  
33 crematory operators, which shall require an applicant to complete  
34 a specialized course in cremation from a nationally recognized  
35 organization. The bill also requires the board to grant a

1 crematory operator license to a funeral director who submits an  
2 application to the board.

3 The bill allows a person licensed as a crematory operator  
4 or funeral director to operate a cremation establishment but  
5 requires a person who operates a funeral establishment to be  
6 licensed as a funeral director. The bill makes conforming  
7 changes by making prohibitions and penalties that currently apply  
8 to funeral directors also apply to crematory operators. The bill  
9 makes the payment of anything of value to secure business for a  
10 crematory operator a simple misdemeanor. A simple misdemeanor is  
11 punishable by confinement for no more than 30 days and a fine of  
12 at least \$105 but not more than \$855. A person who falsely makes  
13 an affidavit in the application for a crematory establishment  
14 license is subject to all penalties prescribed for making a false  
15 affidavit.

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