

# HOUSE . . . . . No. 2738

By Mr. Nee of Boston, petition of Patrick W. Nee for legislation to prohibit the practice of embalming or funeral directing by corporations. Public Health.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Four.

### AN ACT PROHIBITING THE PRACTICE OF EMBALMING OR FUNERAL DIRECTING BY CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 112 of the General Laws is hereby amended by strik-  
2 ing out section 87, as most recently amended by section 2 of  
3 chapter 653 of the acts of 1954, and inserting in place thereof  
4 the following section:—

5 *Section 87.* Whoever, not being registered as an embalmer  
6 under section eighty-three or corresponding provisions of earlier  
7 laws, shall engage in the profession of embalming dead human  
8 bodies, or whoever not being registered as a funeral director un-  
9 der section eighty-three and licensed as a funeral director under  
10 section forty-nine of chapter one hundred and fourteen shall en-  
11 gage in the business or profession of funeral directing, or shall  
12 hold himself out as such, shall, except as otherwise provided by  
13 law, be punished by a fine of not more than one hundred  
14 dollars or by imprisonment for not more than two months, or  
15 both; but this shall not be deemed to prohibit the employment  
16 of apprentice embalmers serving under the personal supervision  
17 of a registered embalmer, or the employment of assistants in  
18 funeral directing under the personal supervision of a registered  
19 and licensed funeral director, nor shall it be deemed to prohibit  
20 partnership, if not engaged in any other business, from engaging  
21 in the business of funeral directing, if a duly registered and li-  
22 censed funeral director is in charge of the business of said partner-

23 ship and his name is presented to public view and in all adver-  
24 tising. If such partnership engages in general advertising for  
25 the purpose of advertising funeral services, then all the indi-  
26 viduals whose names shall appear on such advertisement shall  
27 also be duly registered and licensed funeral director, and all  
28 active members of said partnership, together with those indi-  
29 viduals whose names shall appear, or be used in connection with  
30 the name of the partnership in the regular course of its business  
31 in the conduct of funerals and for the purpose of advertising  
32 funeral services, shall also be duly registered and licensed funeral  
33 directors. No person engaged in embalming or funeral directing  
34 or serving as an apprentice shall act or be employed as a care-  
35 taker or supervisor at any cemetery.

36 No corporation shall engage in embalming or funeral directing.