



NORTH CAROLINA BOARD OF FUNERAL SERVICE

The NC Board of Funeral Service has filed a Notice of Text with the NC Rules Review Commission pursuant to NCGS 150B-21.2 (c) for the **adoption** of the following rule:

- 21 NCAC 34D .0202 (Preneed Sales License)

You are welcome to submit any comments regarding this proposed amendment to the Board during the **public comment period, ending September 30, 2025**. Please submit any written comments to Amy Acord, Interim Executive Director, through the Board office located at 1033 Wade Ave, Ste 108, Raleigh, NC 27605 or via email to aacord@ncbfs.org.

You may also attend a **public hearing** to submit oral comments to the proposed amendment by appearing at the Board office located at 1033 Wade Ave, Ste 108, Raleigh, NC on August 13, 2025 at 10:00 AM.

The proposed effective date for this amendment to the rule is December 1, 2025.

Individuals requiring special accommodation to enable participation in the Hearing should call the NCBFS receptionist at 919.733.9380.



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

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☐
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Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Funeral Service](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://ncbfs.org/>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☒ AMENDMENT: [21 NCAC 34D .0202](#)

☐ REPEAL:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: [12/01/2025](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
08/13/2025	10:00 a.m.	1033 Wade Ave, Ste 108, Raleigh, NC 27605

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

To offer more flexible options for obtaining continuing education on preneed funeral service.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Amy Acord
Address: 1033 Wade Ave, Ste 108
Raleigh, NC 27605
Phone (optional): 919-733-9380
Fax (optional):
EMail (optional) aacord@ncbfs.org

10. Comment Period Ends: 09/30/2025**11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

No fiscal note required

12. Rule-making Coordinator:

Name: Amy Acord
919-715-9380
aacord@ncbfs.org

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 06/11/2025

21 NCAC 34D .0202 is proposed for amendment as follows:

21 NCAC 34D .0202 PRENEED SALES LICENSE

(a) Individuals who hold either an active funeral director's license or an active funeral service license issued by the Board and who have taken ~~three~~ two or more hours of continuing education on preneed statutes and rules ~~taught by Board staff~~ within the preceding three calendar years are eligible for initial licensure as a preneed sales license upon application by a funeral establishment holding an active preneed establishment permit, as set forth in Paragraph (d) of this Rule.

(b) Only individuals who hold an active preneed sales license issued by the Board or resident trainees in funeral service or funeral directing registered with the Board as allowed by 21 NCAC 34B .0103 are permitted to engage in the following preneed funeral planning activities:

- (1) discuss with consumers written materials, including price lists and photographs, descriptive of the funeral services, funeral merchandise, the preneed funeral plan, or funeral contract being offered;
- (2) explain the various types of funeral ceremonies and services and the qualities and characteristics of various kinds of funeral merchandise;
- (3) sell, on a preneed basis, funeral services and merchandise;
- (4) record, on any form or otherwise, specific items of funeral services and merchandise selected on a preneed basis;
- (5) make funeral arrangements on a preneed basis; and
- (6) sign preneed contracts; provided, however, that the resident trainee and his or her licensed supervisor comply with 21 NCAC 34B .0103(e) when doing so.

(c) No preneed sales license is required for the sale of an insurance policy for which no funeral establishment or its representative is listed as the beneficiary or assignee of said policy. In connection with such a sale, the salesperson shall not be deemed to have engaged in preneed funeral planning if the salesperson shows only price lists of funeral services and merchandise to permit a prospective purchaser to make an informed decision as to the amount of insurance desired.

(d) An applicant shall apply for, renew, or surrender a preneed sales license in accordance with the following provisions:

- (1) A funeral establishment holding an active preneed establishment permit shall apply for, or renew, a preneed sales license by submitting the following to the Board on behalf of the applicant for a preneed sales license:
 - (A) the applicant's name, address, email address, and telephone number;
 - (B) the applicant's funeral director's or funeral service license number;
 - (C) the name, address, and preneed establishment permit number of the preneed funeral establishment licensee or licensees on whose behalf the applicant will sell preneed funeral contracts;

- (D) the applicant's employment or agency relationship with the preneed establishment licensee or licensees;
- (E) the initial or renewal application fee required by 21 NCAC 34A .0201(c) for each preneed sales licensee;
- (F) the date on which the applicant has taken the continuing education course required by Paragraph (a) of this Rule; and
- (G) the applicant's signature and attestation that he or she has read and will comply with the statutes and rules governing the practice of preneed funeral service.
- (2) Either the preneed sales licensee or the preneed funeral establishment on whose behalf the preneed sales licensee is engaged in preneed funeral planning activities may surrender a preneed sales license by submitting notification of such surrender in writing to the Board.
- (e) If a preneed sales licensee proposes to engage in preneed funeral planning activities on behalf of multiple preneed funeral establishment licensees that are not wholly owned by or affiliated with common ownership, the preneed sales licensee shall submit the following to the Board:
- (1) the date on which the preneed sales licensee will begin engaging in preneed funeral planning activities for multiple preneed funeral establishment licensees;
- (2) the date on which the preneed sales licensee will stop engaging in preneed funeral planning activities for multiple preneed funeral establishment licensees, if known;
- (3) the name, license number, and signature of the preneed sales licensee;
- (4) the name and signature of the licensed manager of each preneed funeral establishment licensee for whom the preneed sales licensee will engage in preneed funeral planning activities; and
- (5) an attestation from each of the individuals identified in Subparagraphs (3) and (4) of this Paragraph that:
- (A) he or she consents to the preneed sales licensee engaging in preneed funeral planning activities on behalf of the identified preneed funeral establishment licensees; and
- (B) the preneed sales licensee and the preneed funeral establishment licensee on whose behalf the preneed funeral planning activities are to be conducted shall comply with the statutes and rules governing preneed funeral planning activities.
- (f) The Board shall issue to each preneed sales licensee a pocket card as certification of the preneed sales license. The preneed sales licensee shall carry the card while engaging in preneed funeral planning.
- (g) The preneed sales licensee shall sign and affix his or her preneed sales license number to each preneed funeral contract, which he or she sells, in the presence of the purchaser of the contract at the time of sale.

History Note: Authority G.S. 90-210.25(a)(4); 90-210.60(8); 90-210.67(a),(c); 90-210.69(a), (c);
Eff. July 1, 1993;
Amended Eff. January 1, 1996; June 1, 1994;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
2 *2017;*
3 *Amended Eff. _____, 2025; January 1, 2023.*
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