



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

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- 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: North Carolina Board of Funeral Service

2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncbfs.org

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

ADOPTION:

AMENDMENT:

REPEAL:

READOPTION with substantive changes: 21 NCAC 34A .0201 – FEES AND OTHER PAYMENTS; 21 NCAC 34B .0310 – PRACTICE OF FUNERAL SERVICE OR FUNERAL DIRECTING NOT AS AN OWNER, EMPLOYEE OR AGENT OF A LICENSED FUNERAL ESTABLISHMENT; 21 NCAC 34C .0305 – MONTHLY REPORTS; 21 NCAC 34D .0105 – PRENEED FUNERAL CONTRACT COPIES TO BE FILED; 21 NCAC 34D .0203 – SURETY BONDS; 21 NCAC 34D .0303 – CERTIFICATE OF PERFORMANCE

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: 9/1/2019

5. Is a public hearing planned? Yes No

If yes: Public Hearing date: May 8, 2019

Public Hearing time: 9:30 a.m.

Public Hearing location: 1033 Wade Avenue, Suite 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):

Pursuant to G.S. 150B-21.3A(c)(2)g., all six rules proposed for readoption were determined to be necessary with substantive public interest as part of the periodic review of this agency's rules and, therefore, are subject to readoption. Pursuant to G.S. 150B-21.3A(d)(2), these rules are required to be readopted by the North Carolina Board of Funeral Service (the "Board") no later than September 30, 2019.

The substantive changes being proposed, among other things, reflect recent legislative changes as enacted by the passage of House Bill 529, "An Act Amending the Laws Pertaining to the Practice of Funeral Service" (S.L. 2018-78). In addition, the proposed changes reflect evolving technology and administrative practices of the Board staff to improve the efficiency with which the Board's regulations are administered.

It should be noted that, although substantive changes are proposed to 21 NCAC 34A .0201 – FEES AND OTHER PAYMENTS, these changes do not alter the existing fee amounts, but rather simply update existing fee structures to reflect the licensing of hydrolysis facilities and operators, as authorized by House Bill 529, codified as G.S. 90-210.136.

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 facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

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: Catherine E. Lee

Address: 1033 Wade Avenue, Suite 108, Raleigh, NC 27605

Phone (optional):

Fax (optional):

E-Mail (optional): clee@ncbfs.org

10. Comment Period Ends: June 14, 2019

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (≥\$1,000,000)
- Approved by OSBM
- No fiscal note required

12. Rule-making Coordinator: Catherine E. Lee

Phone: 919.733.9380

E-Mail: clee@ncbfs.org

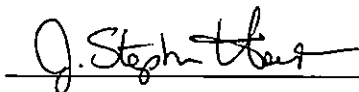
Additional agency contact, if any:

Phone:

E-mail:

**13. The Agency formally proposed the text of this rule(s) on
Date: March 13, 2019**

14. Signature of Agency Head* or Rule-making Coordinator:



Typed Name: J. Stephen Herndon

Title: Board President

**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*