STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

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Agenda Item 6
May 19, 2022

Cemetery and Funeral Bureau Advisory Committee Meeting
Regulations Update

Regulations Update as of May 1st, 2022.

1. AB 926, (Irwin, Chapter 750, Statutes of 2017) and AB 795, (Irwin, Chapter 309, Statutes of 2019), Cemeteries: Endowment Care Funds. The Office of Administrative Law (OAL) approved the rulemaking file, and it became effective on January 5, 2022.

2. AB 830, (Flora, Chapter 376, Statutes of 2021), Business: Department of Consumer Affairs: licensed professions and vocations
   This bill amended Health and Safety Code (HSC) section 8726.2(b)(3).
   On February 2, 2022, the Bureau filed a Section 100, Publication of "Changes without Regulatory Effect" with OAL. This action without regulatory effect amends the type of work experience required for a cemetery authority can apply to the Bureau for approval to convert from the net-income-distribution method of endowment care trust fund administration to the unitrust-distribution method. OAL approved this action on March 17, 2022.

3. Review of Proposed Language and Notices for AB 293, (Kalra, Chapter 514, Statutes of 2021), Preneed funeral arrangements: unclaimed property.

   - This bill has a delayed implementation date of January 1, 2023.
   - The new law establishes procedures for when and how preneed funeral arrangements that are not claimed upon the beneficiary's death should escheat to the state under the Unclaimed Property Law.
   - Requires a funeral establishment that intends to cease operations to provide notice to beneficiaries or trustors and trustees of preneed funeral trusts, with certain requirements.