

# CEMETERY AND FUNERAL BUREAU

## Written Statement

### Section 100 CHANGE WITHOUT REGULATORY EFFECT

#### Title 16, California Code of Regulations (CCR)

**Subject Matter of Proposed Regulations:** Schedule of Fees

**Sections Affected:** Title 16, Section 1257, of the CCR.

Pursuant to Title 1, Division 1, Chapter 1, Article 2, Section 100(a), of the California Code of Regulations (CCR), the Department of Consumer Affairs, Cemetery and Funeral Bureau (Bureau) submits this written statement explaining why the proposed repeal of Section 1257, Schedule of Fees, of Article 7, Division 12, of Title 16, of the CCR does not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision.

Effective January 1, 2023, Senate Bill (SB) 1443 (Roth, Chapter 625, Statutes of 2022) enacted amendments to Business and Professions Code (BPC) section 7729 which fixes fees the Bureau has established in regulation at Title 16, section 1257. The Bureau proposes to repeal the entirety of section 1257 as SB 1443 fixes the exact amounts of fees prescribed by the regulation, as follows:

License Type	Fee Amount Set by Section 1257 CCR		Fee Amount Set by Amended BPC	
Funeral director application	1257(a)	\$200	BPC 7729(a)	\$380
Funeral establishment license	1257(b)	\$400	BPC 7729(n)	\$750
Funeral establishment change of location	1257(c)	\$250	BPC 7729(b)	\$470
Funeral establishment assignment	1257(d)	\$300	BPC 7729(c)	\$560
Funeral director renewal	1257(e)	\$200	BPC 7729(d)	\$380
Funeral director delinquent renewal	1257(e)	\$300	BPC 7729(d)	\$570*
Funeral establishment renewal	1257(f)	\$400	BPC 7729(o)	\$750*

License Type	Fee Amount Set by Section 1257 CCR		Fee Amount Set by Amended BPC	
Funeral establishment delinquent renewal	1257(f)	\$600	BPC 7729(o)	\$1,125*
Embalmer application & examination	1257(g)	\$150	BPC 7729(e)	\$280
Embalmer license renewal	1257(h)	\$100	BPC 7729(f)	\$190
Embalmer license delinquent renewal	1257(h)	\$150	BPC 7729(f)	\$285*
Apprentice embalmer certificate of registration	1257(i)	\$60	BPC 7729(g)	\$120
Funeral establishment approval to train embalmer	1257(j)	\$100	BPC 7729(h)	\$190
Funeral director's examination	1257(k)	\$100	BPC 7729(i)	\$190
Annual preneed trust fund report	1257(l)	\$200	BPC 7729(j)	\$500
Late filing of preneed trust fund report	1257(l)	\$300	BPC 7729(j)	\$750*
Change of name on funeral establishment license	1257(m)	\$200	BPC 7729(k)	\$300
Change of name on individual personal license or certificates	1257(m)	\$40	BPC 7729(k)	\$25
Duplicate license for funeral director, funeral establishment, embalmer's, or registration as an apprentice embalmer	1257(n)	\$40	BPC 7729(l)	\$50
Change of officer(s), trustee(s), or managing funeral director	1257(o)	\$50	BPC 7729(m)	\$50
*Delinquent renewals or late filing are equal to 150 percent of the timely renewal fee				

These changes are without regulatory effect because they make the Bureau's regulations consistent with a changed California statute (BPC section 7729) and (1) section 1257 is inconsistent with and superseded by the changed statute, and

(2) the Bureau has no discretion to adopt fees which differ in substance from the fees set forth in amended section 7729. (1 Cal. Code Regs., tit. 1, § 100, subd. (a)(6).)

Subject to the approval of the Office of Administrative Law, the Bureau proposes to repeal section 1257, Schedule of Fees, in its entirety.