



Senate

General Assembly

File No. 216

February Session, 2002

Substitute Senate Bill No. 543

Senate, March 28, 2002

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CREMATORIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 19a-320 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2002*):

4 (c) (1) No such crematory shall be erected until the plans therefor
5 have been filed with and approved by the Department of Public
6 Health; and no such crematory shall be used until it has been inspected
7 and [approved] received a certificate of inspection by said department
8 and a fee of one thousand dollars is paid to the Department of Public
9 Health for its inspection and approval.

10 (2) Each holder of an inspection certificate shall, annually, on or
11 before July first, submit in writing to the Department of Public Health
12 an application for renewal of such certificate together with a fee of two
13 hundred fifty dollars. If the department issues to such applicant such

14 an inspection certificate, the same shall be valid until July first next
15 following, unless revoked or suspended.

16 (3) Upon receipt of an application for a renewal of such certificate,
17 the Department of Public Health shall make an inspection of each
18 crematory.

19 (4) A crematory shall be open at all times for inspection by the
20 Department of Public Health. The department may make inspections
21 whenever it deems advisable.

22 (5) If, upon inspection by the Department of Public Health, it is
23 found that such crematory is in such condition as to be detrimental to
24 public health, the department shall give to the applicant or operator of
25 the crematory notice and opportunity for hearing as provided in
26 regulations adopted by the Commissioner of Public Health, in
27 accordance with the provisions of chapter 54. The commissioner may,
28 after such hearing, revoke or refuse to issue or renew any such
29 certificate upon cause found at hearing. Any person aggrieved by the
30 finding of or action taken by the Department of Public Health may
31 appeal therefrom in accordance with the provisions of section 4-183.

32 (6) Any of the inspections provided for in this section may be made
33 by a person designated by the Department of Public Health or by a
34 representative of the Commissioner of Public Health.

This act shall take effect as follows:	
Section 1	October 1, 2002

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$
General Fund - Revenue Gain	Department of Public Health	4,750	4,750

Municipal Impact: None

Explanation

It is anticipated that the Department of Public Health will be able to perform inspection and regulatory duties specified in the bill within its anticipated budgetary resources.

An annual revenue increase of \$4,750 will result from the imposition of an annual inspection certificate renewal fee upon crematories. Nineteen crematories currently operate in Connecticut.

OLR Bill Analysis

sSB 543

AN ACT CONCERNING CREMATORIES**SUMMARY:**

This bill requires the Department of Public Health (DPH) to inspect crematories annually and issue and renew inspection certificates. It sets a \$250 certificate renewal fee. Existing law requires DPH only to approve plans for new crematories and inspect and approve them before they can begin operating. The one-time inspection and approval fee is \$1,000.

EFFECTIVE DATE: October 1, 2002

CREMATORY INSPECTION REQUIREMENTS

The bill requires DPH to issue an inspection certificate when it first approves a crematory's operation. It requires the certificate holder (which could be a funeral home, public agency, or independent operator) to apply annually in writing to renew the certificate. The application must be submitted by July 1 and be accompanied by a \$250 fee. The renewal is good for one year unless subsequently revoked or suspended.

The bill requires DPH to inspect the crematory after it receives the renewal application. The inspections can be conducted by someone DPH designates or by a representative of the DPH commissioner. The crematory must be open for inspection at all times; DPH may inspect whenever it deems advisable.

If DPH's inspection finds a crematory's condition is detrimental to public health, the bill requires it to notify the applicant or crematory operator of his right to a hearing pursuant to DPH regulations. If the commissioner finds cause at the hearing to do so, he may revoke or refuse to renew (but not suspend, although a certificate renewal is good for a year if not suspended or revoked) an inspection certificate. A person aggrieved by the commissioner's finding or action may appeal to Superior Court.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 24 Nay 0