

State of Wisconsin



2017 Assembly Bill 837

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 304

AN ACT *to repeal* 445.095 (2) (c) and (d); *to amend* 445.01 (2), 445.045 (1) (e), 445.045 (1) (f), 445.095 (1) (a), 445.095 (2) (b), 445.095 (4) and 445.10 (1); and *to create* 445.095 (2) (a) and 445.095 (5) of the statutes; **relating to: funeral director apprenticeships.**

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 445.01 (2) of the statutes is amended to read:

445.01 (2) An “apprentice funeral director” is any “Apprentice” means a person engaged in the learning of the practice of funeral directing under the instruction and personal supervision of a duly licensed and registered funeral director who is licensed under this chapter; and whose funeral establishment is located in this state; provided, that no person shall serve or attempt to serve as such apprentice funeral director under any such funeral director until the person has filed registration thereof with the examining board.

SECTION 2. 445.045 (1) (e) of the statutes is amended to read:

445.045 (1) (e) The person must have satisfactorily completed 9 months or more instruction in a prescribed course in mortuary science approved by the examining board at any time after having completed one year of college work or equivalent education an approved certification class described in s. 445.095 (1) (a).

SECTION 3. 445.045 (1) (f) of the statutes is amended to read:

445.045 (1) (f) The person must have completed one year of apprenticeship as prescribed in s. 445.095 at any

time after having completed ~~one year of college work or equivalent education~~ an approved certification class described in s. 445.095 (1) (a) and either before or after taking the course in mortuary science required by par. (e) and must have satisfied the requirement under s. 445.095 (4).

SECTION 4. 445.095 (1) (a) of the statutes is amended to read:

445.095 (1) (a) A person desiring to become an apprentice as a funeral director shall apply on a form provided for the purpose and appear before the examining board, or any duly appointed representative of the examining board. The application shall state that the applicant is 18 years of age or older, holds a high school diploma or possesses equivalent education as defined by the examining board, does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, and has completed ~~one academic year of instruction in a recognized college or university in a course of study approved by the examining board or has equivalent education~~ a 16-hour certification class approved by the examining board. The application must be substantiated by the oath of the applicant and be accompanied by the fee specified in s. 440.05 (6). When the examining board is satisfied as to the qualification of an applicant for apprenticeship, it shall issue a certificate of apprentice-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

ship. When the apprentice enters the employment of a licensed funeral director, the apprentice shall immediately notify the examining board, giving the name and place of business of the funeral director whose service the apprentice has entered. If, at any time thereafter, the apprentice leaves the ~~employ~~ employment of the licensed funeral director whose service the apprentice has entered, the licensed funeral director shall give the apprentice an affidavit showing the length of time served as an apprentice with that employer, and the work done in detail, which affidavit shall be filed with the examining board and made a matter of record in that office. If the apprentice thereafter enters the ~~employ~~ employment of another licensed funeral director in this state, the applicant shall forthwith report such employment to the examining board.

SECTION 5. 445.095 (2) (a) of the statutes is created to read:

445.095 (2) (a) 1. Except as provided in subd. 2., the examining board may recognize only one funeral director apprenticeship at a funeral establishment in a given year for each funeral director that is employed full time at the funeral establishment.

2. The examining board may recognize up to 2 funeral director apprenticeships at any funeral establishment at which less than 3 funeral directors are employed full time in a given year.

SECTION 6. 445.095 (2) (b) of the statutes is amended to read:

445.095 (2) (b) The term of a registered apprentice shall be recognized only when ~~given employment~~ the apprentice is employed in a funeral establishment under the personal supervision of a licensed funeral director. ~~For purposes of this paragraph, supervision, when the apprentice is in the preparation room, requires that the apprentice is within the funeral director's line of sight.~~

SECTION 7. 445.095 (2) (c) and (d) of the statutes are repealed.

SECTION 8. 445.095 (4) of the statutes is amended to read:

445.095 (4) Before such ~~an~~ is apprentice shall be eligible to receive a ~~funeral director's~~ license to practice funeral directing, the apprentice shall present, in connection with the other evidence required by this chapter, affidavits from the several licensed funeral directors under whom the apprentice has worked, showing that the apprentice has during the term of his or her apprenticeship, assisted in embalming for burial or shipment at least 25 bodies, has assisted in preparing 25 dead human bodies for burial or transportation, other than by embalming, and has assisted in at least 25 funeral services during the

apprenticeship. ~~This work must all have been done within 4 years from the date of registering as an apprentice, but such time may be extended by the examining board for good cause shown, not to exceed one additional year. The provisions of this section shall be suspended for such period as a registered apprentice may be an active member of the military or naval forces of the United States.~~

SECTION 9. 445.095 (5) of the statutes is created to read:

445.095 (5) No person may serve or attempt to serve as an apprentice under a funeral director until the person has filed registration thereof with the examining board.

SECTION 10. 445.10 (1) of the statutes is amended to read:

445.10 (1) The term of an apprenticeship for a funeral director shall begin on the date of registration and ~~terminate after~~ shall continue for a period of not more than 4 years from the time of first registration unless ~~the time is extended under this chapter. A registered apprentice must make application for license and must appear before the examining board for examination within 4 years from the date of registration unless the time is extended under this chapter. Noncompliance with this subsection terminates the right to serve as an apprentice an extension, not to exceed one additional year, is granted by the examining board. After 4 years have elapsed or, if an extension is granted, after the expiration of the extension, the apprenticeship may not be continued unless the apprentice again completes an approved certification class described in s. 445.095 (1) (a). If the apprentice again completes such a certification class, an additional 4-year period, subject to extension, shall begin as provided in this subsection. An apprenticeship not continued as provided in this subsection shall terminate. The provisions of this subsection shall be suspended while a registered apprentice is an active member of the military of the United States.~~

SECTION 11. Initial applicability.

(1) The treatment of sections 445.045 (1) (e) and (f) and 445.095 (4) of the statutes first applies to an application for a funeral director license submitted by an applicant who submitted an application for a certificate of apprenticeship on the effective date of this subsection.

(2) The treatment of sections 445.095 (1) (a) and 445.10 (1) of the statutes first applies to an application for a certificate of apprenticeship submitted by an applicant on the effective date of this subsection.

SECTION 12. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.