



Letter of Instructions for a New Retail Sales Outlet (Casket Store)

When submitting an application to the Board's Office for a new Retail Sales Outlet (Casket Store), additional facility location, the requirements are as follows:

1. Complete the 3 page Retail Sales Outlet application.
2. Attach a personal check, certified check or postal money order in the amount of:
(Fees are based on two (2) year Licensing):
 - a. \$200 for a new facility or ownership change.
 - b. \$200 for an additional facility location or ownership change.
 - c. There is a \$10 fee for a manager change/name change permit
3. The Manager **must appear** before the Board for a new or additional facility.
(The Manager of the facility is not required to be a licensee in the field of Funeral Service in SC)
4. **If incorporated**, articles of incorporation are required.
5. Along with the application, applicants must submit a state-wide criminal history conviction record from the State Law Enforcement Division (SLED) (or equivalent agency located in the applicant's resident state. (SLED's website: www.sled.sc.gov .)

Mail the application and any additional material above to:

**S. C. Dept. of Labor, Licensing and Regulation
Board of Funeral Service
PO Box 11329
Columbia, SC 29211-1329**

For additional assistance or clarification, contact the Board's Office at (803) 896-4497 or Fax (803) 896-4554.

**ALL APPLICATIONS WILL BE RETURNED IF NOT PROPERLY COMPLETED
OR FEES NOT ENCLOSED.**

5. Proposed Manager of Facility: _____
(First) (Middle) (Last)

6. General hours of operation: _____

7. Manager's Residence Address: _____

State: _____ Zip Code: _____ Home Phone: _____

8. Name of Current or Previous Manager: _____

9. Manager's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

10. Date of Birth: _____ Social Security Number: _____

11. List all places of employment during past five years (for Manager) list present employment first. (Attach sheet if needed.)

1.	Name of Company	St., P.O. Box, or Rt.	City	State, Zip
	Position	Duties	From Mo./Yr.	To Mo./Yr.
2.	Name of Company	St., P.O. Box, or Rt.	City	State, Zip
	Position	Duties	From Mo./Yr.	To Mo./Yr.
3.	Name of Company	St., P.O. Box, or Rt.	City	State, Zip
	Position	Duties	From Mo./Yr.	To Mo./Yr.

MANAGER INFORMATION

12. If licensed, have you ever had any funeral service or embalmer license denied, suspended, revoked, surrendered or have you every been disciplined by the licensing authorities in this or any other state or jurisdiction? _____ (If yes, attach a separate statement giving details.)

13. Have you ever had any other business or professional license of any type suspended, revoked or surrendered in this or any other state or jurisdiction? _____ (If yes, attach a separate statement giving details.)

14. Have you ever been convicted of or pled guilty to or nolo contendere to a felony or a crime involving drugs or moral turpitude? _____ (If yes, attach a separate statement giving details.)

15. Have you read and understand the South Carolina Funeral Service Law and the Rules and Regulations of the Board?
 Yes No

All information in this document is a public record subject to disclosure pursuant to the S.C. Freedom of Information Act.

When you provide a check as payment, you authorize us to use information from the check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction. You authorize us to collect a fee through electronic fund transfer from your account if your payment is returned unpaid. Please provide the following on your check: Drivers License #; Full Name; Street Address and Phone Numbers.

This affidavit to be executed by manager and owner(s) before a notary public:

The undersigned, in making this application to the South Carolina Board of Funeral Service swears (or affirms) that he (or she) is the applicant named herein and that the answers and the information contained herein are true to the best of his (or her) knowledge and belief.

Proposed Manager's Signature

Print Name of Proposed Manager

The above proposed manager has been selected to be in responsible charge of the establishment and will be legally and ethically responsible for all action taken at the establishment.

Signature of Owner of the Facility

Print Name of Owner of the Facility

Signature of Owner of the Facility

Print Name of Owner of the Facility

Print Name of Parent Company

Signature

Print Name & Title or Position

Sworn and subscribed to before me this _____ day of _____ 20_____

Notary Public

My Commission Expires: _____

(SEAL)



SC Code of Laws Title 40 Chapter 19

SECTION 40-19-20. Definitions

(11) "Funeral home", "funeral establishment", or "mortuary" means an establishment where the practice of funeral service and embalming is practiced. All of these establishments must include the following facilities:

- (a) a chapel or parlor in which funeral services may be conducted;
- (b) a preparation room equipped with a sanitary floor and necessary drainage, ventilation, necessary approved tables, hot and cold running water, and a sink separate from table drainage, instruments, and supplies for the preparation and embalming of dead human bodies;
- (c) a room containing a displayed stock of at least six adult caskets and other necessary funeral supplies;
- (d) at least one motor hearse for transporting casketed human remains.

(12) "Funeral merchandise" means that personal property used in connection with the conduct of funerals or with the transportation and final disposition of a dead human body including, but not limited to, caskets, cremation caskets, urns, and burial clothing. The term does not mean mausoleum crypts, interment receptacles preset in a cemetery, and columbarium niches.

(19) "Retail sales outlet" means an establishment wherein funeral merchandise is sold or provided, or both, to the general public. A retail sales outlet may not contain lay-out or chapel facilities and is restricted solely to the sale of funeral merchandise and may not handle or arrange for the handling or disposition, or both, of dead human remains and may not offer or execute preneed funeral contracts, except as authorized by Chapter 7, Title 32.

SECTION 40-19-265. Permit requirements for funeral homes.

(C) A permit for a retail sales outlet may be issued if the applicant:

- (1) submits an application on a form approved by the board;
- (2) submits to and successfully passes an inspection approved by the board;
- (3) submits the applicable nonrefundable fee;
- (4) is in full compliance with Section 40-19-290.

SECTION 40-19-270. Permit for funeral establishment; funeral services in private residence, church, or lodge; inspection of premises; residence of funeral director; application for permits; partnership or corporation operating funeral establishment.

(A) No person shall conduct, maintain, manage, or operate a funeral establishment, crematory, or retail sales outlet unless a permit for each establishment, retail sales outlet, or crematory has been issued by the board and is displayed conspicuously in the funeral establishment crematory, or retail sales outlet.

(B) The board or its inspector or agents may enter the offices or premises of a funeral establishment, funeral home, mortuary, branch funeral home, retail sales outlet, or crematory to inspect the premises or observe the training provided to apprentices. Acceptance of a permit constitutes permission for entry to the premises as provided in this section without legal process.

(C) No permit to operate a funeral establishment or crematory may be issued unless the funeral establishment or crematory has a manager when the establishment or crematory is open for any type of funeral business or activity. The board must be notified within thirty days upon the death, resignation, or incapacity of the manager of a funeral establishment or crematory as provided for in Regulation 57-10(c) and may issue a temporary permit to another manager upon terms and conditions the board considers to be in the best interest of the community in which the establishment or crematory is located.

(D) An application for a funeral establishment, crematory, or retail sales outlet permit must be made on forms furnished by the board and must be filed with the board accompanied by a fee established by the board in regulation. All permits expire on June thirtieth of each odd-numbered year.

(E) When more than one person proposes to engage in the operation of a funeral establishment or crematory as a partnership or a corporation, one of the partners or corporation officers must be a licensed funeral director or the corporation or partnership must employ a full-time manager. No partner or corporate officer shall hold himself out through advertising or otherwise as being a licensee unless the person is licensed in accordance with this chapter.

SECTION 40-19-290. Disclosure of expenses related to services and merchandise; statements regarding legal requirements; disposition of payments received; investigations.

(A) The personnel of a funeral establishment or crematory shall make every reasonable attempt to fulfill the desires of the deceased and persons making arrangements both as to services and merchandise, and a full disclosure of all its available services and merchandise must be made before selection of the casket. Before the arrangements are completed, the licensee of the funeral service firm shall disclose fully what is included in the funeral and identify other related expenses such as cemeteries and florists.

(B) Statements of legal requirements or statements relative to the conditions under which embalming is required or advisable must be complete and factual. Representations as to legal requirements for embalming, the use of a casket or other receptacle, and the necessity, if any, of an interment receptacle in connection with a funeral must be truthful, and all legal or cemetery interment requirements must be disclosed.

(C) A funeral service establishment, crematory, or retail sales outlet shall have a card or brochure with each piece of funeral merchandise stating the price of the merchandise.

(D) The funeral establishment or crematory shall provide to the persons making the arrangements, at the time the arrangements are completed and before the time of rendering the service, a written statement signed by a representative of the funeral home and by the person authorizing the services showing to the extent then known:

- (1) the price of the service that the persons have selected and what is included in the service;
- (2) the price of each of the supplemental items of service and merchandise requested;
- (3) the amount involved for each of the items for which the funeral service firm shall advance monies as an accommodation to the family; and
- (4) the method of payment.

(E) All payments received by any establishment licensed under this chapter for funeral merchandise being purchased must be placed in a trust account in a federally insured institution until the merchandise is delivered for use as provided in the contract in accordance with the sales agreement. Upon its own initiative or upon receipt of a complaint, the State Board of Financial Institutions must undertake investigations; review the books, records, and accounts of any establishment licensed under this chapter; subpoena witnesses; require audits and reports; and conduct hearings to determine if payments are being received in violation of the provisions of Chapter 7 of Title 32.

FOR THE FULL VERSION OF STATUTE AND REGULATIONS GO TO

www.lir.state.sc.gov/pol/funeral

And click on Laws & Policies