

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
Division 23
Article 3

DEPARTMENT OF CONSUMER AFFAIRS

CEMETERY AND FUNERAL BUREAU

Final Statement of Reasons

Subject Matter of Proposed Regulations:

This final statement of reasons addresses the regulations applicable to applicants seeking crematory licensure or the assignment of an existing crematory license when a change of ownership occurs.

Sections Affected: California Code of Regulations, Title 16, Division 23, Article 3, Sections 2326 and 2326.01.

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

The Bureau made non-substantive modifications to the originally approved text.

Section 2326

In section 2326, Business and Professions Code section 135.4 is added to both the Authority and Reference Citation.

Section 2326.01

In section 2326.01(a)(6) through (a)(10) the hierarchy was revised to (a)(6)(A) through (D)(i)(ii).

In section 2326(b)(3) removed the word “satisfactory” from the permit issuance requirement to align with the statutory language.

Form 23-CR (New 1/24): The “NOTICE OF COLLECTION OF PERSONAL INFORMATION (REV. 9/2023)” is included with the final text attached to the Form 400.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Comments:

The 45-day comment period began on July 5, 2024, and ended on August 19, 2024. The Bureau did not hold a hearing.

The Bureau received no comments during the notice period.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Bureau would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Bureau incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings.

Incorporation by Reference

The Application for Initial Crematory License, or Assignment of an Existing Crematory License, form 23-CR (new 1/24), incorporated by reference, would be cumbersome, unduly expensive, and otherwise impractical to publish in the CCR. The form is available on the Bureau's website and hardcopies are available from the Bureau upon request.