

**CHAPTER 100—S.F.No. 1182**

*An act relating to commerce; regulating insurance for funeral or burial expenses; allowing funeral establishments to sell funeral insurance and receive commissions for these sales; amending Minnesota Statutes 1998, section 72A.325.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 72A.325, is amended to read:

**72A.325. INSURANCE FOR FUNERAL OR BURIAL EXPENSE; FREEDOM OF CHOICE.**

No insurance company, agent, or other person engaged in the business of providing insurance or other benefits for the payment of any funeral or burial expense, shall designate, endorse, or otherwise promote any particular mortician, funeral director, funeral establishment, cemetery, or any other party offering funeral or burial services or supplies, as the beneficiary or recipient of the benefits, so as to deprive the family, next of kin, or other representative of the deceased policyholder persons with legal authority to control the disposition of the remains of the deceased policyholder under section 149A.80, subdivision 2, of the right to select the funeral or burial services and supplies of their choice. No owner, director, or employee of a funeral establishment, or entity having a direct equity interest in a funeral establishment, shall receive any fee, commission, or other reimbursement on any insurance sale facilitated through the funeral establishment, except the sale of a preneed funeral insurance contract with a face amount not to exceed \$20,000.

~~No owner, director, or employee of a funeral establishment shall receive any fee for endorsing insurance policies, plans, or services.~~

For purposes of this section, "preneed funeral insurance contract" means an agreement by or for an individual before that individual's death relating to the purchase or provision of specific funeral or cemetery merchandise or services.

Nothing in this section constitutes a waiver or exception to the requirements of chapter 60K.

Presented to the governor April 22, 1999

Signed by the governor April 26, 1999, 1:15 p.m.

**CHAPTER 101—S.F.No. 1527**

*An act relating to school boards; a person convicted of a sex offense who is required to be registered under the predatory offender law is not eligible to be a candidate for the office of school board member; amending Minnesota Statutes 1998, sections 123B.09, by adding a subdivision; and 205A.06, by adding a subdivision.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 123B.09, is amended by adding a subdivision to read:

Subd. 1a. **SEX OFFENDER SCHOOL BOARD INELIGIBILITY.** A sex offender who has been convicted of an offense for which registration under section 243.166

New language is indicated by underline, deletions by ~~strikeout~~.