

ALABAMA BOARD OF FUNERAL SERVICES
PRENEED DIVISION
ADMINISTRATIVE CODE

CHAPTER 395-X-9
PRENEED CONTRACTS AND CERTIFICATE OF AUTHORITY

395-X-9-.07

Certificate Of Authority - Required.

(1) Every preneed seller subject to the Act must have a valid preneed certificate of authority to sell preneed contracts and to collect payments for preneed contracts. Each branch affiliated with a certificate holder must have a valid branch registration.

(2) The certificate of authority or branch registration, as applicable, shall be prominently displayed in a public area of the certificate holder's or branch registrant's facility. In the event a certificate of authority or branch registration is surrendered, non-renewed, suspended or revoked, the certificate or branch registration shall not be displayed and must be returned to the Board.

(3) On or before July 1st of each year, every certificate holder shall file an application for renewal which shall include the certificate holder's annual statement and, if applicable, statement of trust activities as required in Section 34-13-191(g).

(4) A certificate holder shall be subject to a fine for each day after July 1 the certificate holder fails to file its annual statement or, if applicable, statement of trust activities as provided in Section 34-13-191(h). The amount of the fine is set forth in Rule 395-X-2-.03.

(5) Upon notice to the certificate holder by the Board of the failure of the certificate holder to file the annual statement or, if applicable, statement of trust activities, the certificate holder's authority to sell preneed contracts shall be suspended as provided in Section 34-13-191(h).

(6) A certificate of authority expires on October 1 unless properly renewed as provided in this rule as provided in Section 34-13-53 and 34-13-191(h).

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-16-27, 34-13-170 to -277.

History: New Rule: Published March 29, 2024; effective May 13, 2024.