

LAWS OF DELAWARE
VOLUME 85
CHAPTER 181
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 161

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FUNERAL ESTABLISHMENT PERMITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3101, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3101. Definitions [For application of this section, see 84 Del. Laws, c. 261, § 16].

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them under this section, except where the context clearly indicates a different meaning:

(8) “Funeral establishment” means any place used in the care and preparation of human remains for funeral service, burial, entombment, cremation, or natural organic reduction; ~~said place shall also include~~ including areas for embalming, the convenience of the bereaved for viewing, and other services associated with human remains. A funeral establishment ~~shall also include~~ includes a place or office in which the business matters associated with funeral services are conducted. ~~Satellite funeral establishments existing as of May 12, 1988, shall not be required to include an area for embalming.~~

Section 2. Amend § 3117, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3117. Funeral establishment permit; circumstances for termination and continuation.

(b) No person ~~shall~~ may conduct, maintain, manage, or operate a funeral establishment unless a permit for ~~each such~~ the establishment has been issued by the Board. Violation of this subsection ~~shall constitute is a grounds~~ ground for discipline. When a funeral service is held in a private residence, church, or lodge hall, no permit is required, provided that the funeral director of record is operating from a firm with a funeral establishment permit.

Approved August 25, 2025