

Amend **SB 864** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 651.303(b) and (c), Occupations Code, are amended to read as follows:

(b) The commission by rule shall define the terms of employment of a provisional license holder. The terms of employment[÷

~~[(1)]~~ must include service by the provisional license holder[÷

~~[(A) of at least 17 hours a week or 73 hours a month; and~~

~~[(B)]~~ under actual working conditions and under the personal supervision of a funeral director or embalmer[, and

~~[(2) may not require more than 17 hours a week or 73 hours a month].~~

(c) The term of the provisional license program must be at least 12 consecutive months but not more than 24 consecutive months.

SECTION \_\_\_\_\_. Subchapter K, Chapter 651, Occupations Code, is amended by adding Section 651.5011 to read as follows:

Sec. 651.5011. CHARGING FUNERAL DIRECTOR IN CHARGE WITH VIOLATION. In determining whether to charge a funeral director in charge with a violation based on conduct for which a licensed employee of the funeral establishment was directly responsible, the commission may consider:

(1) the nature and seriousness of the violation;

(2) the extent to which the licensed employee of the funeral establishment whose conduct is the basis of the violation was under the direct supervision of the funeral director in charge or another person at the time the licensed employee engaged in the conduct; and

(3) the causal connection between the supervision of the licensed employee of the funeral establishment by the funeral director in charge and the conduct engaged in by the licensed employee that is the basis of the violation.