



# STATE OF SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

## PRENEED FUNERAL CONTRACTS – COMPLIANCE REVIEW CHECKLIST

S.C. Code Ann. §§ 32-7-10 et seq. and S.C. Code Ann. §§ 40-19-290(E)

[www.consumer.sc.gov](http://www.consumer.sc.gov)

### Mailing Address

P.O. Box 5757  
Columbia, SC 29250-5757

803-734-4251/800-922-1594/803-734-4229 FAX

### Street Address

293 Greystone Blvd., Suite 400  
Columbia, SC 29210-8004

Please review the following items on your Preneed Funeral Contracts before sending to this department for approval. If the contracts must be returned for corrections this will delay processing. Thank you for your assistance and we look forward to working with you.

### ANY CHANGES, ADDITIONS, OR DELETIONS MADE TO A CONTRACT MUST BE INITIALED BY PURCHASER.

\_\_\_\_\_ Checks should be in the amount of \$20 per contract sold and should be made payable to the South Carolina Department of Consumer Affairs. The check must be issued by the funeral home (no personal checks are accepted).

\_\_\_\_\_ A late fee of \$10 per contract must be added for all contracts not reported to the Department within 60 days of the month in which they were sold.

\_\_\_\_\_ A remittance form must be received monthly with the contracts. All columns should be completed to indicate contracts sold (page one) or performed (page two). Include the account number or policy number and total amount of the contract, and if the contract is guaranteed or non-guaranteed and revocable or irrevocable in the specified column. When contracts are performed, cancelled or transferred to another funeral home, please list them on the second page, **and indicate what action took place.**

\_\_\_\_\_ If the contract is Guaranteed, the price of each item must be shown. The name or type of Casket and/or Vault must be shown on Guaranteed contracts as well.

\_\_\_\_\_ If the contract is Guaranteed, "Cash Advance" items must be listed and priced.

\_\_\_\_\_ The total of the services and merchandise to be provided should equal the purchase price listed in the Financial Agreement section. Attach a copy of the funeral goods and services agreement with each contract.

\_\_\_\_\_ According to Section 32-7-10 (3) of the preneed law, cemetery lots, monuments, mausoleums, crypts, niches and markers (except temporary ones) may not be sold preneed. If you have mistakenly sold one of these items, please strike through the item on the contract, adjust the purchase price, and have the purchaser initial the change. All moneys accepted for one of the above items must be returned to the purchaser.

\_\_\_\_\_ The contract should be initialed by the purchaser acknowledging if the contract is funded by a trust or by insurance. Must list financial institution and account number for trust and policy number, amount and name of insurance company for insurance.

\_\_\_\_\_ The contract should be initialed by the purchaser, and the date should be shown in the Nature of Agreement section.

\_\_\_\_\_ The contract must be signed by both the purchaser and the funeral home representative. If funded by insurance, the funeral director must list their insurance license number.

\_\_\_\_\_ Any changes, additions, or deletions made to a contract must be initialed by the purchaser.