

ALABAMA BOARD OF FUNERAL SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-12-.02 Preneed Contract Log; Cemetery Property  
Sales Log - Required

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The amended rule is intended to provide clear and unambiguous guidance regarding the proper use of sales logs. Specifically, it clarifies the distinction between circumstances in which a preneed sales log must be maintained and those in which a cemetery property sales log must be used. This clarification ensures uniform application of reporting requirements across all establishments and aligns the rule with the provisions of Rule 395-X-12-.04.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written, verbal, or electronic mail comments will be accepted by the Board until:  
Time: 4:30 p.m., Friday, October 3, 2025  
Place: 4276 Lomac Street, Montgomery, AL 36106  
Email: Charles.perine@fsb.alabama.gov  
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, October 7, 2025

CONTACT PERSON AT AGENCY:

Charles M. Perine

*Charles M. Perine*

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Charles Perine

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**395-X-12-.02**

**Preneed Contract Log; Cemetery Property Sales Log - Required.**

(1) Each certificate holder selling funeral preneed contracts shall have and maintain a preneed contract log that includes the information set forth in Rule 395-X-12-.03 for each preneed contract sold.

(2) Each certificate holder selling cemetery preneed contracts shall have and maintain a preneed contract log that includes the information set forth in Rule 395-X-12-.03 for each preneed contract sold.

(3) Each cemetery authority selling interment rights shall maintain a cemetery property sales log that includes the information set forth in Rule 395-X-12-.04 for each ~~preneed contract~~interment right sold.

~~(3) Each certificate holder offering both funeral and cemetery preneed contracts shall have and maintain a preneed contract log and a cemetery property sales log.~~

(4) Each log must be formatted so that:

(a) The company name is on each page of the log.

(b) Each page of the log is sequentially numbered at the bottom.

(c) The log is typed or printed legibly.

(d) If the log is not being created using a computer spreadsheet, all contract items shall be completed using black or blue ink, except the columns for the current payment status, amount in trust, and cumulative amount in trust, may be written in pencil until the contract is paid in full.

(e) The log can be copied and scanned.

(5) Use of the Board's sample log forms published on the Board's website will be deemed compliance with this Rule. The certificate holder or cemetery authority may create its own form of a log as long as all information categories in Rule 395-X-12-.03 or Rule 395-X-12.04, as applicable, appear and the log is formatted as provided in paragraph (4). The certificate holder or cemetery authority shall perform such staff training and engage in such oversight as may be necessary to reasonably assure that the log is maintained accurately and updated.

(6) Each log must be readily accessible and updated to current status on a not less than quarterly basis.

**Author:** Charles M. Perine

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

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