

**DEPARTMENT OF ADMINISTRATIVE SERVICES  
DIVISION OF PROFESSIONAL REGULATION  
3100 Board of Funeral Services  
Statutory Authority: 24 Delaware Code,  
Section 3105(f) (24 Del.C. §3105(f))  
24 DE Admin. Code 3100**

**PROPOSED**

**PUBLIC NOTICE**

The Delaware Board of Funeral Services in accordance with 24 **Del.C.** §3105(f) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the provision of funeral services.

A public hearing will be held at 10:30 a.m. on January 26, 2005, in the Second Floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Funeral Services, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**Proposed Rules and Regulations**

**11.0 Crimes substantially related to the provision of Funeral Services**

11.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of the solicitation to commit any of the following crimes, is deemed to be a crime substantially related to the provision of Funeral Services in the State of Delaware without regard to the place of conviction:

- 11.1.1 Abuse of a pregnant female in the second degree. 11 **Del.C.** §605.
- 11.1.2 Abuse of a pregnant female in the first degree. 11 **Del.C.** §606
- 11.1.3 Assault in the second degree. 11 **Del.C.** §612.
- 11.1.4 Assault in the first degree. 11 **Del.C.** §613.
- 11.1.5 Felony abuse of a sports official. 11 **Del.C.** §614
- 11.1.6 Assault by abuse or neglect. 11 **Del.C.** §615.
- 11.1.7 Unlawfully administering of drugs. 11 **Del.C.** §625.
- 11.1.8 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 **Del.C.** §626.
- 11.1.9 Prohibited acts as to substances releasing vapors or fumes. 11 **Del.C.** §627.
- 11.1.10 Manslaughter. 11 **Del.C.** §632.
- 11.1.11 Murder by abuse or neglect in the second degree. 11 **Del.C.** §633.
- 11.1.12 Murder by abuse or neglect in the first degree. 11 **Del.C.** §634.
- 11.1.13 Murder in the second degree. 11 **Del.C.** §635.
- 11.1.14 Murder in the first degree. 11 **Del.C.** §636.
- 11.1.15 Promoting suicide. 11 **Del.C.** §645
- 11.1.16 Abortion. 11 **Del.C.** §651
- 11.1.17 Self-abortion. 11 **Del.C.** §652
- 11.1.18 Issuing abortion articles. 11 **Del.C.** §653
- 11.1.19 Unlawful sexual contact in the third degree. 11 **Del.C.** §767
- 11.1.20 Unlawful sexual contact in the second degree. 11 **Del.C.** §768
- 11.1.21 Unlawful sexual contact in the first degree. 11 **Del.C.** §769
- 11.1.22 Rape in the fourth degree. 11 **Del.C.** §770
- 11.1.23 Rape in the third degree. 11 **Del.C.** §771
- 11.1.24 Rape in the second degree. 11 **Del.C.** §772
- 11.1.25 Rape in the first degree. 11 **Del.C.** §773
- 11.1.26 Sexual extortion. 11 **Del.C.** §776

11.1.27 Bestiality. 11 Del.C. §777  
11.1.28 Continuous sexual abuse of a child. 11 Del.C. §778  
11.1.29 Dangerous crimes against a child. 11 Del.C. §779  
11.1.30 Female genital mutilation. 11 Del.C. §780  
11.1.31 Kidnapping in the second degree. 11 Del.C. §783  
11.1.32 Kidnapping in the first degree. 11 Del.C. §783A  
11.1.33 Acts constituting coercion. 11 Del.C. §791  
11.1.34 Arson in the third degree. 11 Del.C. §801  
11.1.35 Arson in the second degree. 11 Del.C. §802  
11.1.36 Arson in the first degree. 11 Del.C. §803  
11.1.37 Reckless burning or exploding. 11 Del.C. §804  
11.1.38 Burglary in the third degree. 11 Del.C. §824  
11.1.39 Burglary in the second degree. 11 Del.C. §825  
11.1.40 Burglary in the first degree. 11 Del.C. §826  
11.1.41 Possession of burglar's tools or instruments facilitating theft. 11 Del.C. §828  
11.1.42 Robbery in the second degree. 11 Del.C. §831  
11.1.43 Robbery in the first degree. 11 Del.C. §832  
11.1.44 Carjacking in the second degree. 11 Del.C. §835  
11.1.45 Carjacking in the first degree. 11 Del.C. §836  
11.1.46 Felony theft. 11 Del.C. §841  
11.1.47 Theft; lost or mislaid property. 11 Del.C. §842  
11.1.48 Theft; false pretense. 11 Del.C. §843  
11.1.49 Extortion 11 Del.C. §844  
11.1.50 Theft, extortion; claim of right as an affirmative defense. 11 Del.C. §846  
11.1.51 Misapplication of property. 11 Del.C. §848  
11.1.52 Use, possession manufacture, distribution and sale of unlawful telecommunication and access  
devises 11 Del.C. §850  
11.1.53 Receiving stolen property 11 Del.C. §851  
11.1.54 Unauthorized use of a vehicle 11 Del.C. §853  
11.1.55 Identity theft 11 Del.C. §854  
11.1.56 Forgery 11 Del.C. §861  
11.1.57 Possession of forgery devices 11 Del.C. §862  
11.1.58 Falsifying business records 11 Del.C. §871  
11.1.59 Tampering with public records in the second degree 11 Del.C. §873  
11.1.60 Tampering with public records in the first degree 11 Del.C. §876  
11.1.61 Offering a false instrument for filing. 11 Del.C. §877  
11.1.62 Issuing a false certificate 11 Del.C. §878  
11.1.63 Bribery 11 Del.C. §881  
11.1.64 Bribe receiving 11 Del.C. §882  
11.1.65 Unlawful use of credit card. 11 Del.C. §903  
11.1.66 Reencoder and scanning devices. 11 Del.C. §903A  
11.1.67 Criminal impersonation . 11 Del.C. §907  
11.1.68 Criminal impersonation, accident related. 11 Del.C. §907A  
11.1.69 Criminal impersonation of a police officer. 11 Del.C. §907B  
11.1.70 Unlawfully concealing a will. 11 Del.C. §908  
11.1.71 Securing execution of documents by deception. 11 Del.C. §909  
11.1.72 Insurance fraud 11 Del.C. §913  
11.1.73 Use of consumer identification information. 11 Del.C. §914  
11.1.74 Use of credit card information. 11 Del.C. §915  
11.1.75 Unauthorized access 11 Del.C. §932  
11.1.76 Misuse of computer system information. 11 Del.C. §935  
11.1.77 Endangering the welfare of a child 11 Del.C. §1102  
11.1.78 Endangering the welfare of an incompetent person. 11 Del.C. §1105  
11.1.79 Unlawfully dealing with a child. 11 Del.C. §1106

- 11.1.80 Sexual exploitation of a child. 11 Del.C. §1108
- 11.1.81 Unlawfully dealing in child pornography. 11 Del.C. §1109
- 11.1.82 Possession of child pornography. 11 Del.C. §1111
- 11.1.83 Sexual solicitation of a child. 11 Del.C. §1112A
- 11.1.84 Perjury in the second degree. 11 Del.C. §1222
- 11.1.85 Perjury in the first degree. 11 Del.C. §1223
- 11.1.86 Making a false written statement. 11 Del.C. §1233
- 11.1.87 Tampering with physical evidence. 11 Del.C. §1269
- 11.1.88 Hate crimes 11 Del.C. §1304
- 11.1.89 Aggravated harassment 11 Del.C. §1312
- 11.1.90 Abusing a corpse 11 Del.C. §1332
- 11.1.91 Trading in human remains and associated funerary objects 11 Del.C. §1333
- 11.1.92 Adulteration 11 Del.C. §1339
- 11.1.93 Desecration of a burial place. 11 Del.C. §1340
- 11.1.94 Act of intimidation. 11 Del.C. §3532
- 11.1.95 Aggravated act of intimidation. 11 Del.C. §3533
- 11.1.96 Attempt to intimidate. 11 Del.C. §3534.
- 11.1.97 Alteration, theft, or destruction of will. 12 Del.C. §210
- 11.1.98 Abuse, Neglect Mistreatments or Financial Exploitation of residents or patients. 16 Del.C. §1136
- 11.1.99 Controlled substance prohibited acts A. 16 Del.C. §4751
- 11.1.100 Controlled substance prohibited acts B. 16 Del.C. §4752.
- 11.1.10 Trafficking in marijuana, cocaine, illegal drugs, metamphetamines, L.S.D., or designer drugs. 16 Del.C. §4753A
- 11.1.102 Possession and delivery of noncontrolled prescription drug. 16 Del.C. §4754A (d) E felony
- 11.1.103 Hypodermic syringe or needle delivering or possessing; disposal; exceptions. 16 Del.C. §4757
- 11.1.104 Distribution to persons under 21 years of age. 16 Del.C. §4761
- 11.1.105 Purchase of drugs from minors. 16 Del.C. §4761A
- 11.1.106 Distribution, delivery, or possession of controlled substance within 1,000 feet of school property. 16 Del.C. §4767
- 11.1.107 Distribution, delivery or possession of controlled substance in or within 300 feet of park, recreation area, church, synagogue or other place of worship. 16 Del.C. §4768
- 11.1.108 Duty of driver involved in accident resulting in injury or death to any person. 21 Del.C. §4202
- 11.2 Crimes substantially related to the provision of Funeral Services shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

**8 DE Reg. 777 (12/01/04)**