

20 CSR 2120-3.530 Seller Fees and Charges on Preneed Contracts

PURPOSE: This rule clarifies when optional fees and charges for items other than funeral services and funeral merchandise may be included in a preneed contract.

- (1) If a seller and purchaser agree to include any optional fees or charges on a preneed contract for items other than funeral services and funeral merchandise, as those terms are defined by Chapters 333 and 436, RSMo, the contract must include the description of each optional fee or charge as it is disclosed on the general price list provided the consumer. Examples of optional fees or charges that might be part of a preneed contract include fees for installment payments on the preneed contract, price protection or price guarantee fees.
- (2) With the exception of credit life premiums and the board's state contract fee, as authorized by Chapter 436, RSMo, all optional fees or charges shall be considered as payments on the preneed contract that must be deposited pursuant to Chapter 436 into trust or joint account. For insurance funded preneed contracts, any optional fees shall be considered as part of the preneed contract.

*Original authority: 333.340, RSMo 2009; 436.425, RSMo 2009, 436.430, RSMo 2009; and 436.520, RSMo 2009.