

Criminal Records and Requirements for Licensure of Funeral Directors and Embalmers

- 1. I am applying for the first-time for a license to be a funeral director and embalmer and I have a criminal conviction in my past. Can I still get a license?**

ANSWER: Depending on the type and nature of the conviction, most likely yes if you are otherwise qualified. An applicant's convictions, along with other factors, may be considered by the Department in its decision whether to grant a license. We encourage you to apply and participate in the Department's review process. For the past several years, more than 95% of applicants with a conviction who aren't barred by law and who accurately completed the application disclosing their conviction have obtained a license.

- 2. Which convictions are an automatic bar to obtaining a funeral director and embalmer license?**

ANSWER: There are no convictions which would result in an automatic bar to obtaining a funeral director and embalmer license.

- 3. Which convictions will the Department consider when determining whether an applicant qualifies for a funeral director and embalmer license? (These are NOT an automatic bar to obtaining a license, but they do need to be disclosed on your application.)**

ANSWER: If you have a conviction for one or more of the following offenses and are otherwise qualified, you are encouraged to apply and fully complete the license application, which includes providing the requested information about your conviction. The following are the only offenses that will be considered in making a decision about your application:

- First degree murder
- Drug induced homicide
- Aggravated unlawful restraint
- Involuntary servitude
- Predatory criminal sexual assault of a child
- Criminal sexual assault
- Aggravated kidnaping
- Kidnapping
- Aggravated battery
- Terrorism
- Possessing a deadly substance
- Material support for terrorism
- Armed violence
- Any offence based on consumer fraud or deceptive business practices
- Second degree murder
- Unlawful restraint
- Forcible detention
- Involuntary sexual servitude of a minor
- Aggravated criminal sexual assault
- Criminal sexual abuse
- Aggravated robbery
- Armed robbery
- Aggravated vehicular hijacking
- Causing a catastrophe
- Making a terrorist threat
- Hindering prosecution of terrorism
- Any offense requiring registration under the Sex Offender Registration Act
- Attempt of any of the above offenses

4. Which convictions will the Department NOT consider when determining whether an applicant qualifies for a funeral director and embalmer license? (These convictions do need to be disclosed on your application, but they will not have a negative effect on your request for a license.)

- Cannabis possession or sale
- Traffic offenses
- Trespass
- Vandalism
- Convictions that have been expunged, sealed, vacated, or reversed by the court or a juvenile conviction/disposition. These convictions do NOT have to be disclosed to the Department. Please refer to question 5 below for more information.

5. I have a juvenile conviction in my past, or an adult conviction that has since been expunged, sealed, vacated, or reversed by the court. Should I still notify the Department of this conviction?

ANSWER: No. Individuals applying for a license should not disclose to the Department any adult convictions that have been expunged, sealed, vacated, or reversed by the court or any juvenile conviction/disposition.

6. I have a conviction in my past and have submitted my application. What can I expect next?

ANSWER: The Department may contact you to request additional information or request an informal conference to discuss your past conviction.

DISCLAIMER: The above questions and answers are provided for general information only and may not be completely accurate in every circumstance, do not purport to be legal advice, and are not intended to be legally binding on the Department in a particular case. Questions involving interpretation of the law and your legal rights and obligations should be addressed to your lawyer.