

THE STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL  
SALT LAKE CITY

February 20, 1959

William G. Hardy, Director  
Securities Commission  
Department of Business Regulation  
Building

Dear Mr. Hardy:

I have your letter of December 18, 1958, in which you request advice as to steps to be taken against mortuary establishments and funeral directors who have failed to comply with the provisions of Section 22-4-3, U.C.A. 1953, as amended by Chapter 39, Laws of Utah 1955, requiring that certain reports be filed.

Section 22-4-3, U.C.A. 1953, requires that trustees submit to the Securities Commission of the State of Utah semi annually certified reports of all transactions. Section 22-4-7, U.C.A. 1953, as amended by Chapter 39, Laws of Utah 1955, provides as follows:

Every trustee, or officer, employee or agent of a trustee or any other person who violates any provision of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or shall be imprisoned for not less than ten (10) days nor more than (90) days, or both.

I would suggest that you write the establishments or persons who have failed to file reports as required by Section 22-4-3 informing them that you have discussed the problem with the Attorney General's office and that if their reports are not submitted by a certain date, that you shall refer their case to the County Attorney for prosecution.

If you have any further questions on this problem, please call or write.

Very truly yours,

GARY L. THEURER  
Assistant Attorney General

GLT/jlt