

**MONTANA BOARD OF FUNERAL SERVICE
ATTN TRUST REPORTING
PO BOX 200511
301 S PARK, 4TH FLOOR
HELENA, MT 59620-0511**

Phone: 406-444-5901 Email: dlibsdfnr@mt.gov Website: www.funeral.mt.gov

**Annual Trust Reporting for Mortuaries, Branch Establishments, and Crematories
Frequently Asked Questions (FAQ)**

1. Who needs to submit an annual trust report and what do I need to submit?

Every licensed mortuary, mortuary branch establishment, and crematory must submit a report on the Board's reporting form. The form can be found at www.funeral.mt.gov under the "Forms" tab. Please contact us at 406-444-5901 or dlibsdfnr@mt.gov if you have trouble accessing the forms. You do not need to submit additional documents unless you are requested to.

2. What is a mortuary branch establishment?

A licensed facility doing business under a licensed "parent" or "umbrella" mortuary.

Statutory definition: "a separate facility that may or may not have a suitable visitation room or preparation room and that is owned by, a subsidiary of, or otherwise financially connected to or controlled by a licensed mortuary." 37-19-101(5), MCA.

3. Why am I required to submit an annual trust report if my bank has already submitted a report?

Banking institutions, savings or building and loan associations, and credit unions (referred to as "bank" or "banks" below) are required to submit an annual trust report identifying the trusts they hold. The trusts they must identify are outlined under [37-19-828, MCA](#).

Mortuaries and crematories licensed by the Board must establish and manage preneed funeral trust funds and appropriate financial records. The licensee must be able to account for all preneed funeral trust funds.

Banks and licensees report independently because the Board wants to verify if the licensee can adequately account for funds held in trust.

Additional information can be found under [37-19-828](#) and [37-19-829](#), MCA, and [ARM Title 24, chapter 147, subchapter 16](#).

4. When is my annual trust report due?

March 1, 2024

5. What is the current reporting period?

Calendar year 2023: January 1, 2023 to December 31, 2023

6. Can I request an extension to submit my report?

Yes. However, your request must be made prior to the required submission deadline of March 1, 2024. The Board will evaluate your request on a case-by-case basis. You will be notified of the Board's decision and, if the extension is granted, the length of the extension.

7. What happens if I do not submit my report on time?

Mortuaries and crematories that do not file their reports by the required submission deadline may be subject to disciplinary action, including a fine of up to \$1000.

8. How do I submit my completed report?

The following options are available to you:

- Email: dlibsdfnr@mt.gov
- Postal Mail: Board of Funeral Service, ATTN Trust Reporting, PO Box 200511, Helena, MT 59620
- In-Person: Board of Funeral Service, 301 S Park Avenue, 4th Floor, Helena, MT

9. Do I need to fill out the entire annual trust report?

Yes, unless the form indicates that your response to a question allows you to skip a question.

10. Do I have to submit an annual trust report if I recently purchased a mortuary, branch establishment, or crematory from someone?

Yes. If the facility has a license, permanent or temporary, you must report. As the current owner, you are now responsible for the reporting period.

11. Do I have to submit an annual trust report if...?

- I did not deposit any money in trust during the current reporting period
- All preneed contracts sold during the current period were funded through insurance
- All of my sales have been at-need or funded through insurance
- I have money in trust from the last reporting period, but I did not sell any preneed contracts during the current reporting period
- A third party manages or oversees all the trusts for me

Yes, a report is required even if no money was deposited into a trust during the reporting period.

12. I am a business entity with multiple licenses. All of my accounting and trusts are centrally managed by the business entity. Do I need to submit more than one annual trust report?

No, you may submit one report for all licenses under the business. Please list all license numbers as requested on the form. List all physical addresses separately if they are not the same as the mailing address.

13. I am a business entity with multiple licenses. However, each licensed facility manages its own accounting and trusts. Do I need to submit more than one annual trust report?

Yes. In this instance, each licensed facility would submit its own annual trust report.

14. I use a third party to manage trust funds and deposit funds into a local Montana bank, but the third party has an out-of-state address. What do I use for their Montana address?

Use the Montana address you deposit the funds at. Examples include, but are not limited to:

- American Funeral & Cemetery Trust Services: First Interstate Bank c/o AFCTS, 401 North 31st St, Billings MT 59101.
- Montana Funeral Trust: First Interstate Bank c/o Montana Funeral Trust, 401 North 31st St, Billings MT 59101.

15. What happens if my annual trust report does not match the bank's report?

We may try to help you identify where there might be an issue and refer you to contact your bank afterwards. However, you are responsible for working with your bank to resolve the issue. Your bank may or may not choose to share their annual trust report with you, but we will not share their report with you. Licensees must be able to account for all preneed funeral trust funds.

16. What is the board going to do with the information I submit?

We will compare your annual trust report to the bank's report to determine if it is reasonable to believe you have accounted for the trust funds and/or managed the funds as required. Using that information, we will determine if additional information is necessary. Audits are not suggested unless there may be evidence of wrongdoing. If applicable, annual trust report records will be reviewed by the Board's Screening Panel.

17. Additional questions?

Contact Kris Brewer at 406-444-5901 or dlibsdfnr@mt.gov.