§ 3455. Violations; prosecutions. 1. Any person who shall:

(a) obtain or attempt to obtain or aid in obtaining any license or certificate under this article by any false or fraudulent statement or representation; or,

(b) practice as a funeral director, undertaker or embalmer without having been issued a license or without having registered as required by this article; or,

(c) being a funeral director, undertaker, or embalmer, aid and abet an unlicensed person to practice funeral directing, undertaking, and embalming; or,

(d) hold himself out as licensed or able to practice or as practicing or entitled to practice without conformity to the requirements of this article; or,

(e) otherwise violate or neglect to comply with any of the provisions of this article; or,

(f) being a funeral director, undertaker or embalmer, or registered resident, knowingly give, sell, permit to be sold, offer for sale or display for sale, other than for purposes within the general scope of their activities as a licensed funeral director, undertaker or embalmer, or registered resident, embalming fluid to another person with actual knowledge that such other person is not a licensed funeral director, undertaker or embalmer, or registered resident, or entity authorized to perform embalming activities under section thirty-four hundred twenty of this article or activities described in article forty-two of this chapter; or

(g) practice as a funeral director, undertaker or embalmer, while his license is revoked or suspended, shall be guilty of a misdemeanor, and shall, on conviction, for each and every offense be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment for a term of not less than thirty days and not more than one year, or by both such fine and imprisonment, and for a second offense shall be punishable by both such fine and imprisonment.

2. All courts of special sessions within their respective territorial jurisdictions are hereby empowered to hear, try and determine such crimes without indictment and to impose in full the punishments of fines and imprisonments herein prescribed.

3. The attorney general of the state shall have the power to prosecute in any county of the state any violation of this article; such prosecution may be instituted by him in his discretion or after complaint made to him by any person, provided, however, that nothing in this section shall be interpreted to prevent or impede the prosecution of such proceedings by the district attorney of any county in which the offense is committed when such proceedings have been instituted by him.

4. (a) In any prosecution or hearing hereunder it shall be necessary to prove only a single act prohibited by law or a single holding out or attempt, without having to prove a general course of conduct, in order to constitute a violation.

(b) The display, publication or dissemination by any person of an advertisement, card, sign or any other representation bearing a name, designation or description as a practitioner of funeral directing, undertaking, or embalming, in any manner or by implication, shall be presumptive evidence of a holding out of such practice by such person.

5. All violations of this article when reported to the department and duly substantiated by affidavits, or other satisfactory evidence, shall be investigated and, if the report is found to be substantiated, the department shall report such violations to the attorney general and request prompt prosecution.