

House Bill 401

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia
2 Annotated, relating to licenses for funeral directors and embalmers, so as to provide for
3 additional options for reciprocity; to provide for certain procedures; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Part 3 of Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated,
8 relating to licenses for funeral directors and embalmers, is amended by revising Code Section
9 43-18-42, relating to reciprocity for licensed embalmers and funeral directors from other
10 states, as follows:

11 "43-18-42.

12 (a) The board may, in its discretion and in accordance with regulations adopted by the
13 board, grant to any person licensed in another state, territory, country, or District of
14 Columbia full privileges to engage in equivalent practice authorized by this article without
15 taking a national examination if:

16 (1) On or after January 1, 1991, such person successfully passes a written examination
17 approved by the board which tests knowledge of the law of this state relating to funeral
18 directors; ~~and~~

19 (2) Such person satisfied in another state, territory, country, or District of Columbia the
20 requirements for licensure which are:

21 (A) In effect in Georgia on the date of application; or

22 (B) Substantially equal to the requirements for a similar license in Georgia; and

23 (3) If a person seeking a license pursuant to this Code Section has engaged in the active
24 practice of funeral service as a licensed funeral director and embalmer within the three
25 years immediately preceding his or her application for a license in Georgia.

1 (b) The approval or denial of a license by endorsement pursuant to this Code section shall
2 be in the sole discretion of the board, and a denial thereof shall not be considered to be a
3 contested case within the meaning of Chapter 13 of Title 50, the 'Georgia Administrative
4 Procedure Act.' Any applicant denied license pursuant to this Code section may request
5 to appear before the board.

6 (c) Nothing in this Code section shall be construed to prevent an applicant denied pursuant
7 to this Code section from taking the examination for licensure pursuant to this article if that
8 applicant otherwise meets the qualifications set out in Code Section 43-18-41."

9 **SECTION 2.**

10 All laws and parts of laws in conflict with this Act are repealed.