

The House Committee on Regulated Industries offers the following substitute to HB 401:

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"43-18-42.

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

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

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

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

~~(B)(ii)~~ Substantially equal to the requirements for a similar license in Georgia; or

(2) A person seeking a license pursuant to this Code section has engaged in the active practice of funeral service as a licensed funeral director and embalmer for three 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.