

The Senate Regulated Industries & Utilities Committee offered the following substitute to HB 391:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 10-14-3 of the Official Code of Georgia Annotated, relating to  
2 definitions relative to cemetery and funeral services, so as to redefine certain terms; to amend  
3 Code Section 43-8B-5 of the Official Code of Georgia Annotated, relating to the State Board  
4 of Cemeterians and the number, terms, appointments, vacancies, and removal of members,  
5 so as to change certain provisions relating to qualifications of board members; to provide an  
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 Code Section 10-14-3 of the Official Code of Georgia Annotated, relating to definitions  
9 relative to cemetery and funeral services, is amended by revising paragraphs (3), (14), and  
10 (21), respectively, as follows:  
11

12 "(3) 'Burial merchandise,' 'funeral merchandise,' or 'merchandise' means any personal  
13 property offered or sold by any person for use in connection with the final disposition,  
14 memorialization, interment, entombment, or inurnment of human remains, ~~including~~  
15 ~~without limitation a mausoleum, cremation urn, cremation bench, cremation marker, or~~  
16 ~~cremorial."~~

17 "(14) 'Entombment' ~~mean~~ means the disposition of a dead human body in a mausoleum,  
18 including without limitation a crypt, private mausoleum, or any other permanent  
19 above-ground structure not used for inurnment, but shall not include the opening and  
20 closing of a grave space, crypt, or niche or the installation of a vault."

21 "(21) 'Inurnment' means the disposition of the cremated remains of a deceased human  
22 being in ~~an~~ any fashion, including without limitation in a columbarium niche, cremorial,  
23 cremation bench, cremation rock, urn, or other container but shall not include the opening  
24 and closing of a grave space, crypt, or niche or the installation of a vault."

**SECTION 2.**

Code Section 43-8B-5 of the Official Code of Georgia Annotated, relating to the State Board of Cemeterians and the number, terms, appointments, vacancies, and removal of members, is amended by revising subsection (a) as follows:

"(a) The board shall consist of six members who shall be practicing cemeterians with a minimum of five years of ~~registration as such in this state immediately preceding their appointment~~ experience and one member who shall have no connection whatsoever with the cemetery profession but who shall have a recognized interest in consumer affairs and in consumer protection concerns."

**SECTION 3.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 4.**

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