House Bill 90 (AS PASSED HOUSE AND SENATE)

By: Representative Sims of the 169th

A BILL TO BE ENTITLED

AN ACT

1   To amend Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated,

2   relating to funeral directors and establishments, embalmers, and crematories, so as to provide

3   for certain requirements and options for licensing and license holders; to provide additional

4   options for reciprocity; to provide for certain procedures; to provide that a funeral

5   establishment operated by a person and others licensed by the State Board of Funeral

6   Services shall have an adequate stock of funeral caskets on the premises; to provide that the

7   display room may contain actual caskets or may contain models, mock-ups, or sections of

8   caskets or similar items if such caskets are readily available and in stock for purchase at the

9   establishment or can be delivered within 24 hours; to provide for related matters; to repeal

10   conflicting laws; and for other purposes.

11   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12   **SECTION 1.**

13   Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to

14   funeral directors and establishments, embalmers, and crematories, is amended by revising

15   Code Section 43-18-42, relating to reciprocity for licensed embalmers and funeral directors

16   from other states, as follows:

17   "43-18-42.

18   (a) The board may, in its discretion and in accordance with regulations adopted by the

19   board, grant to any person licensed in another state, territory, country, or District of

20   Columbia full privileges to engage in equivalent practice authorized by this article without

21   taking a national examination if:

22   (1)(A) On or after January 1, 1991, such person successfully passes a written

23   examination approved by the board which tests knowledge of the law of this state

24   relating to funeral directors; and

25   (2)(B) Such person satisfied in another state, territory, country, or District of Columbia

26   the requirements for licensure which are:

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

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

3   (2) Such person seeking a license pursuant to this Code section has engaged in the active

4   practice of funeral service as a licensed funeral director and embalmer for three years

5   immediately preceding his or her application for a license in Georgia.

6   (b) 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 Said article is further amended by revising paragraph (3) of subsection (b) of Code Section

11 43-18-70, relating to practice at licensed funeral establishment or crematory, facilities, and

12 living quarters, as follows:

13 "(3) A display room containing actual caskets or models, mock-ups, or sections of

14   caskets or similar items if all such caskets are available and in stock for purchase at the

15   establishment or can be delivered within 24 hours. Each funeral establishment shall

16   maintain on the premises at each of its locations an adequate stock of funeral caskets as

17   established by the board which shall not be less than eight and which shall meet such

18   other criteria as necessary to protect the public;"

19   **SECTION 3.**

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