

ADOPTED

Senators Loudermilk of the 52nd, Hill of the 32nd, Albers of the 56th, Bethel of the 54th, Gooch of the 51st and Unterman of the 45th offered the following amendment:

1 *Amend the Senate Regulated Industries and Utilities Committee substitute to SB 321 by*
 2 *inserting after "property;" on line 4 the following:*
 3 to amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,
 4 relating to theft, so as to provide that only licensed funeral directors, registered cemetery
 5 owners, and certain other persons may sell certain burial objects as scrap metal;

6 *By inserting between lines 306 and 307 the following:*

SECTION 1-1A.

7
 8 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,
 9 is amended by adding a new Code section to read as follows:

10 "16-8-22.

11 (a) As used in this Code section, the term 'burial object' means any item reasonably
 12 believed to have been placed at a human burial or interment site including, without
 13 limitation, any memorial, tombstone, grave marker, shrine, statue, urn, or other metal burial
 14 place adornments.

15 (b) Only licensed funeral directors, registered cemetery owners, and burial object
 16 manufacturers and distributors, or individuals authorized by such persons, shall be
 17 authorized to sell burial objects as scrap metal. Any person other than such authorized
 18 persons who sells such items as scrap metal shall be guilty of a felony and, upon
 19 conviction, shall be sentenced to incarceration for not fewer than five years.

20 (c) Any purchaser of scrap metals shall employ due diligence to ensure that any person
 21 selling burial objects has the proper credentials. Any purchaser of scrap metals who
 22 negligently fails to comply with this subsection shall be guilty of a felony and, upon
 23 conviction, shall be sentenced to incarceration for not fewer than five years."