

The Senate Committee on Regulated Industries and Utilities offered the following substitute to HB 889:

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 limitations on fees for license renewals and reinstatements and apprentice registrations
4 and reregistrations; to prohibit the imposition of certain sanctions and additional fees; to
5 authorize certain advertisements related to crematories and cremation services; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to
10 funeral directors and establishments, embalmers, and crematories, is amended by adding a
11 new Code Section to read as follows:

12 "43-18-10.

13 (a) Each license issued by the board pursuant to this chapter shall expire biennially.

14 (b) If the licensee desires a renewal of such license, the board shall grant and issue the
15 same without further examination upon application therefor and upon the payment of a
16 renewal fee to be fixed by the board; provided, however, that such renewal fee shall not
17 exceed \$100.00.

18 (c) Each license issued by the board that is not renewed prior to the date of expiration shall
19 lapse. Such license shall be reinstated upon completion of a reinstatement application as
20 approved by the board, submission of proof of completion of any required continuing
21 education, and submission of the renewal fee required by subsection (b) of this Code
22 section and a reinstatement fee to be fixed by the board. Such reinstatement fee shall not
23 exceed \$300.00.

24 (d) The board shall not impose any sanction or fee, other than the fees provided for in this
25 Code section, based solely on a person's failure to renew a license prior to the date of

26 expiration if such person applies to reinstate such license within one year following the
 27 date of expiration."

28 **SECTION 2.**

29 Said article is further amended by revising Code Section 43-18-43, relating to biennial
 30 renewal of licenses, as follows:

31 "43-18-43.

32 ~~(a) Each license issued by the board shall expire biennially.~~

33 ~~(b) If the licensee desires a renewal of such license, the board shall grant and issue the~~
 34 ~~same without further examination upon application therefor and upon the payment of a~~
 35 ~~renewal fee to be fixed by the board Reserved."~~

36 **SECTION 3.**

37 Said article is further amended by revising Code Section 43-18-51, relating to renewal of
 38 registration of apprenticeship, as follows:

39 "43-18-51.

40 A registration of apprenticeship shall be renewable biennially upon payment of the renewal
 41 fee as provided by the board but shall not be renewed more than two times. The renewal
 42 fee shall not exceed \$100.00. Failure to renew a registration shall be the same as a
 43 revocation, and such apprentice may be reregistered as provided in Code Section 43-18-54.
 44 The hours served after a registration has been revoked will not be carried forth into any
 45 subsequent apprenticeship period."

46 **SECTION 4.**

47 Said article is further amended by revising subsection (c) of Code Section 43-18-54, relating
 48 to refusal to grant apprenticeship registration, grounds for suspension, revocation, limitation
 49 of, or refusal to renew registration, and reregistration, as follows:

50 "(c)(1) An apprentice who has failed to renew ~~that person's~~ his or her registration or who
 51 has had ~~that person's~~ his or her registration suspended or revoked may, within one year
 52 after such expiration, suspension, or revocation, make application for ~~registration~~
 53 reregistration, but no more than two such applications may be approved by the board. An
 54 applicant for reregistration whose previous apprenticeship was revoked for failure to
 55 renew may be granted full credit for the time previously served prior to expiration. An
 56 applicant for reregistration whose previous apprenticeship was suspended or revoked
 57 upon any of the grounds set forth in subsection (b) of this Code section, however, may
 58 be granted credit for no more than 75 percent of the time previously served prior to the
 59 disciplinary action. In all other cases regarding applicants for reregistration, the board

60 may, when the circumstances warrant, allow an apprentice credit under a reregistration
61 for time actually served under a previous registration.

62 (2) The fee for reregistration shall be fixed by the board and shall not exceed \$200.00.
63 The board shall not impose any sanction or fee, other than the registration fee and
64 reregistration fee, based solely on a person's failure to reregister as an apprentice if such
65 person applies for reregistration within one year after the expiration, suspension, or
66 revocation of the apprentice registration."

67 **SECTION 5.**

68 Said article is further amended by adding a new Code section to read as follows:

69 "43-18-81.

70 Any person, firm, corporation, or association licensed under this chapter to operate one or
71 more funeral establishments but only one crematory may advertise access to a crematory
72 and cremation services on all forms of advertisements related to any such funeral
73 establishment, provided that all of the funeral establishments which are the subject of such
74 advertisements are operated under the same name and are located within a 40 mile radius
75 from the location of the crematory."

76 **SECTION 6.**

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