

House Bill 354

By: Representatives Williams of the 145th, Powell of the 32nd, Collins of the 68th, Bentley of the 139th, Mathis of the 144th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to require the State Board of Cemeterians and the State Board of Funeral
3 Service to report suspected unlawful activity to the sheriff's office and the Attorney General;
4 to require the Attorney General to provide notice of such suspected unlawful activity to the
5 appropriate prosecuting attorney; to provide for related matters; to provide for an effective
6 date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
10 is amended in Chapter 8B, relating to the State Board of Cemeterians, by adding a new Code
11 section to read as follows:

12 "43-8B-8.

13 Any complaints received by the board that, upon investigation, show that there may be
14 violations of state or federal criminal law shall create an affirmative obligation on behalf
15 of the board to provide notice of such potential illegalities within seven days to the
16 Attorney General's office and to the sheriff's office in the county in which any of the

illegalities are believed to have occurred in whole or in part. Upon receiving such notification, the Attorney General shall within seven days provide the appropriate prosecuting attorney within any jurisdiction in which any illegalities are believed to have occurred, in whole or in part, with relevant information uncovered during the course of the investigation that the prosecuting attorney requests."

SECTION 2.

Said title is further amended in Article 1 of Chapter 18, relating to general provisions regarding funeral directors and establishments, embalmers, and crematories, by adding a new Code section to read as follows:

"43-18-10.

Any complaints received by the board that, upon investigation, show that there may be violations of state or federal criminal law shall create an affirmative obligation on behalf of the board to provide notice of such potential illegalities within seven days to the Attorney General's office and to the sheriff's office in the county in which any of the illegalities are believed to have occurred in whole or in part. Upon receiving such notification, the Attorney General shall within seven days provide the appropriate prosecuting attorney within any jurisdiction in which any illegalities are believed to have occurred, in whole or in part, with relevant information uncovered during the course of the investigation that the prosecuting attorney requests."

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.