

Senate Bill 209

By: Senators Williams of the 25th, Robertson of the 29th, Mallow of the 2nd, Ginn of the 47th, Anderson of the 24th and others

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 that licensed funeral directors do not have to be licensed embalmers; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to
8 funeral directors and establishments, embalmers, and crematories, is amended by revising
9 subsection (c) of Code Section 43-18-41, relating to qualifications of embalmer or funeral
10 director applicants, as follows:

11 "(c) In addition to the qualifications set out in subsection (a) of this Code section, an
12 applicant for a funeral director's license ~~shall have, prior to the issuance of said license, a~~
13 ~~valid embalmer's license;~~ shall furnish an affidavit which lists the names of ~~the~~ at least 50
14 funerals at which the applicant assisted as an apprentice ~~assisted~~ as provided in Code
15 Section 43-18-50; and, effective January 1, 1991, must pass an examination approved by
16 the board which tests knowledge of the law of this state relating to funeral directors."

17

SECTION 2.

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

19 "43-18-41.1.

20 No person shall be required by the board to have a valid embalmer's license in order to
 21 receive, maintain, or renew a funeral director's license under this article."

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SECTION 3.

23 Said article is further amended by revising subsection (a) of Code Section 43-18-42, relating
 24 to reciprocity and examination upon meeting qualifications, as follows:

25 "(a) The board may, in its discretion and in accordance with regulations adopted by the
 26 board, grant to any person licensed in another state, territory, country, or District of
 27 Columbia full privileges to engage in equivalent practice authorized by this article without
 28 taking a national examination if:

29 ~~(1)(A) On or after January 1, 1991, such person successfully passes an examination~~
 30 ~~approved by the board which tests knowledge of the law of this state relating to funeral~~
 31 ~~directors; and~~

32 ~~(B) Such person satisfied in another state, territory, country, or District of Columbia~~
 33 ~~the requirements for licensure which are:~~

34 ~~(i) In effect in Georgia on the date of application; or~~

35 ~~(ii) Substantially equal to the requirements for a similar license in Georgia; ~~or~~ and~~

36 (B) On or after January 1, 1991, such person seeking a funeral director's license
 37 successfully passes an examination approved by the board which tests knowledge of the
 38 law of this state relating to funeral directors; or

39 (2) Such person seeking a license pursuant to this Code section has engaged in the active
 40 practice of funeral service as a licensed funeral director ~~and~~ or licensed embalmer, as
 41 applicable, for three years immediately preceding his or her application for a such license
 42 in Georgia."

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SECTION 4.

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