A BILL TO BE ENTITLED
AN ACT

To amend Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to funeral directors and establishments, embalmers, and crematories, so as to provide for multiple cremation devices; to provide for a definition; to provide for rules and regulations; to provide for certain inspections; to provide for conforming amendments; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to funeral directors and establishments, embalmers, and crematories, is amended in Code Section 43-18-1, relating to definitions, by adding a new paragraph to read as follows:

“(5.1) 'Cremation device' means a retort, vat, or container in which dead human bodies are cremated by traditional flame, alkaline hydrolysis, or other means approved by the board.”

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SECTION 2.
Said chapter is further amended in Code Section 43-18-8, relating to identification of body or remains of deceased and affidavit required for cremated remains, by revising paragraph (2) of subsection (a) as follows:

“(2) No funeral director in charge of a crematory shall permit any dead body to be on the premises of the crematory without the dead body being identified as provided by this subsection, except when the body is placed in the retort of a cremation device; and the tag shall be removed from the body and kept in a regular location near the retort cremation device during cremation and thereafter placed atop the cremated remains on the inside of the vessel and any liner therein. The vessel containing cremated remains shall be plainly labeled on the outside so as to identify the deceased with the same information, excluding social security number, as is required to be on the tag inside the vessel and so as to identify the name of the person or firm to which such remains are to be delivered or released.”

SECTION 3.
Said chapter is further amended in Code Section 43-18-72, relating to crematories to be licensed, equipment, facilities, and personnel, application, reports, and limitation of single body in retort, by revising paragraph (a)(1) and subsections (b) and (e) as follows:

“(a)(1) It shall be unlawful for any person, firm, corporation, or association to operate a crematory without first obtaining a separate license for such purpose from the board in accordance with this article. The crematory must be at a specific address or location and must meet the following requirements and have the following minimum equipment, facilities, and personnel:

(A) A room with seating for a minimum of 30 people in which funeral services may be conducted;

(B) A display room containing an adequate supply of urns;
(C) Rolling stock consisting of at least one operable motor hearse either owned or leased by said firm with current Georgia registration;

(D) At least one operable retort for cremation cremation device;

(E) At least one operable processing station for grinding of cremated remains;

(F) At least one church truck; and

(G) Not be located within 1,000 feet of a residential subdivision platted and recorded in the office of the clerk of the superior court of a county in which such residential subdivision is located."

"(b) The board may adopt and enforce such rules and regulations as may be reasonable and necessary to provide for the sanitary disposal of dead human bodies and prevent the spread of disease and to protect the health, safety, and welfare of the people of this state. Such rules and regulations may include inspections of any retort by the manufacturer or other authorized crematory repair company once every five years to ensure proper operations."

"(e) No more than one dead human body shall be placed in a retort cremation device at one time unless written permission has been received from the person possessing legal responsibility for the disposition of the dead human body."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

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