

TITLE 43. PROFESSIONS AND BUSINESSES  
CHAPTER 8B. STATE BOARD OF CEMETERIANS

O.C.G.A. § 43-8B-1 (2015)

§ 43-8B-1. Short title

This chapter shall be known and may be cited as the "Georgia Cemeterians Board Act."

**HISTORY:** Code 1981, § 43-8B-1, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

§ 43-8B-2. Definitions

As used in this chapter, the term:

- (1) "Board" means the State Board of Cemeterians established by this chapter.
- (2) "Cemeterian" means a person registered as a cemetery owner pursuant to Chapter 14 of Title 10 or a cemetery manager.
- (3) "Cemetery" means a cemetery as defined in Chapter 14 of Title 10.

**HISTORY:** Code 1981, § 43-8B-2, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

§ 43-8B-3. Declaration of purpose

The practice of the profession of a cemeterian, as defined in this chapter, is declared to be a business or profession affecting the public interest and involving the health and safety of the public.

**HISTORY:** Code 1981, § 43-8B-3, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

§ 43-8B-4. Establishment of board

There shall be established in the Office of the Secretary of State the State Board of Cemeterians to be constituted as provided in this chapter with the powers, duties, and authority vested in such board by this chapter.

**HISTORY:** Code 1981, § 43-8B-4, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

§ 43-8B-5. Number and terms of members; appointments; vacancies; removal

- (a) The board shall consist of six members who shall be practicing cemeterians with a minimum of five years of experience and one member who shall have no connection whatsoever with the cemetery profession but who shall have a recognized interest in consumer affairs and in consumer protection concerns.
- (b) The members of the board shall be appointed by the Governor for terms of office of six years and all vacancies occurring on the board shall be filled by the Governor. When an appointment is made to fill a vacancy caused by death or resignation of a member, such appointment shall be for the

remainder of the unexpired term of the member whose death or resignation caused the vacancy so filled.

- (c) A majority of the members of the board may remove any member who misses three or more consecutive regular meetings of the board without a medical reason and may declare that position on the board to be vacant. A member so removed shall not be eligible for reappointment until the expiration of the term of office for which such person was serving. The Governor shall have the power to remove from office any member of the board for willful neglect of duty or for conviction of a crime involving moral turpitude.

**HISTORY:** Code 1981, § 43-8B-5, enacted by Ga. L. 2006, p. 1087, § 8/HB 910; Ga. L. 2007, p. 398, § 2/HB 391.

§ 43-8B-6. Election of president of board; meetings; reimbursement; inspectors

- (a) The board shall each year elect from its members a president whose term shall be one year and who shall serve during the period for which elected and until a successor shall be elected.
- (b) The board shall meet at least yearly and more often as the proper and efficient discharge of its duties may require.
- (c) Each member of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.
- (d) No inspector shall own, operate, or be employed by any cemetery or perform any services on behalf thereof.

**HISTORY:** Code 1981, § 43-8B-6, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

§ 43-8B-7. Powers and duties; rules and regulations; seal

For the purpose of better protection of life and health the board is authorized:

- (1) To fix and prescribe minimum standards of general appearance of cemeteries;
- (2) To undertake such other duties and to exercise such other powers as may from time to time be prescribed by law;
- (3) To adopt a common seal; and
- (4) To make and promulgate rules and regulations not inconsistent with the laws of this state for the regulation of such board and pursuant to the provisions of Chapter 14 of Title 10. All rules and regulations of the Secretary of State promulgated pursuant to the authority of Chapter 14 of Title 10 and existing immediately prior to July 1, 2006, which are not inconsistent with this chapter shall continue in effect until repealed, amended, or otherwise changed by the board.

**HISTORY:** Code 1981, § 43-8B-7, enacted by Ga. L. 2006, p. 1087, § 8/HB 910.

**The statutory materials reprinted or quoted verbatim on the following pages are taken from the Official Code of Georgia Annotated, Copyright 1981, 2006, 2007, 2015, by the State of Georgia, and are reprinted with the permission of the State of Georgia. All rights reserved.**