

**NOTICE OF INTENT TO AMEND
RULE 590-3-1.12 INTERNAL RULES AND REGULATIONS OF CEMETERIES;
SCHEDULE OF CHARGES
APPLICABLE TO THE STATE BOARD OF CEMETERIANS**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the State Board of Cemeterians, (hereinafter "Board") proposes to amend the rules of the Office of Secretary of State, as applicable to the State Board of Cemeterians, Rule 590-3-1.12 Internal Rules and Regulation of Cemeteries; Schedule of Charges (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Securities and Business Regulation Division, #2 Martin Luther King, Jr. Drive, Suite 802 West Tower, Atlanta, Georgia 30334. These documents will also be available for review on the Securities and Business Regulation Division web page at <http://www.sos.ga.gov/securities/#>. Copies may also be requested by contacting the staff of the State Board of Cemeterians office at 404-656-3920.

A public hearing is scheduled to begin at 10:00 a.m. on August 26, 2008 at #2 Martin Luther King, Jr. Drive, Suite 1410-12 West Tower, Atlanta, Georgia 30334 to provide the public an opportunity to comment upon and provide input into the proposed rule. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments pertaining to these rules are welcome. To ensure their consideration, written comments must be received prior to the close of business (5:30) on August 15, 2008. Written comments should be addressed to Robert D. Terry, Director, Securities and Business Regulation Division, #2 Martin Luther King, Jr. Drive, Suite 802 West Tower, Atlanta, Georgia 30334.

The proposed rule amendment will be considered for adoption by the State Board of Cemeterians at its meeting scheduled to begin at 10:00 a.m. on August 26, 2008 at #2 Martin Luther King, Jr. Drive, Suite 1410-12 West Tower, Atlanta, Georgia 30334. According to the Department of Law, State of Georgia, the State Board of Cemeterians has the authority to amend these rules pursuant to authority contained in O.C.G.A. §§ 10-14-3.1, 10-14-4, 10-14-16, 10-14-17, and 43-8B-7.

The Board will consider at its meeting on August 26, 2008, whether the formulation and adoption of this proposed rule amendment will have an economic impact on businesses in this state which would require the implementation of one or more of the actions described in O.C.G.A. §50-13-4(a)(3).

For further information, contact the Board staff at 404-656-3920.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 26th day of June 2008.

Robert D. Terry
Director
Securities and Business Regulation Division

Posted:

**SYNOPSIS AND DIFFERENCES OF
PROPOSED RULE AMENDMENT
RULE 590-3-1.12 INTERNAL RULES AND REGULATIONS OF
CEMETERIES; SCHEDULE OF CHARGES
APPLICABLE TO THE STATE BOARD OF CEMETERIANS**

Purpose: To provide for the method of calculating the adjustment of:

1) The maximum amount which may be charged as a reimbursement fee for the supervision and inspection of the installation of a monument purchased or obtained from and to be installed by a person or firm other than the cemetery; and

2) The maximum amount which may be charged as a fee by cemeteries for transferring burial rights from one purchaser to another.

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

590-3-1.12 Internal Rules and Regulations of Cemeteries; Schedule of Charges.

(1) No internal rule or regulation or schedule of charges of a cemetery shall be effective until filed with the ~~Secretary of State~~ State Board of Cemeterians and posted as required by Sec. 10-14-16(a) of the Act.

(2) As an amendment to its registration application, every cemetery owner shall immediately notify the ~~Secretary of State~~ State Board of Cemeterians of any modification or amendment of its rules and regulations or any schedule of charges required to be filed by Rule 590-3-3-.01 and shall immediately submit two revised copies of the rules and regulations or schedule of charges as so modified to the ~~Secretary of State~~ State Board of Cemeterians along with a self-addressed stamped envelope. No modification or amendment shall be effective until such notice is received by the ~~Secretary of State~~ State Board of Cemeterians and posted as required by Sec. 10-14-16 of the Act. Any failure of the ~~Secretary of State~~ State Board of Cemeterians to comment on any rules and regulations or schedule of charges filed with them shall not be deemed to be ratification or acceptance of the form or substance of said rules and regulations or schedule of charges.

(3) Pursuant to Section 10-14-17 (j) of the Act, beginning September 15, 2008, and July 1 every year thereafter, the State Board of Cemeterians shall adjust the maximum amount which may be charged as a reimbursement fee for the supervision and inspection of the installation of a monument purchased or obtained from and to be installed by a person or firm other than the cemetery company or its agents. By applying a multiplier based on the

Consumer Price Index, All Urban Customers, U.S. City Average, All Items, released in May of the year in which the adjustment is made, the State Board of Cemeterians shall calculate the maximum adjusted reimbursement fee.

(4) Pursuant to Section 10-14-17 (j) of the Act, beginning September 15, 2008, and July 1 every year thereafter, the State Board of Cemeterians shall adjust the maximum amount which may be charged as a fee by cemeteries for transferring burial rights from one purchaser to another. By applying a multiplier based on the Consumer Price Index, All Urban Customers, U.S. City Average, All Items, released in May of the year in which the adjustment is made, the State Board of Cemeterians shall calculate the maximum adjusted reimbursement fee.

Authority O.C.G.A. §§ 10-14-3.1, 10-14-4, 10-14-16, 10-14-17, and 43-8B-7.