

HB0540/366480/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 540
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “decendent” insert “in accordance with all authorizations required by law”; in line 8, after “Directors” insert “or the Office of Cemetery Oversight”; in line 18, strike “Board” and substitute “State Board of Morticians and Funeral Directors and the Office of Cemetery Oversight”; and in line 19, after “licensee” insert “or permit holder”.

On page 1, after line 21, insert:

“BY repealing and reenacting, without amendments,

Article - Business Regulation

Section 5-101(a) and (g)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 5-310(a)(11) and (12)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article - Business Regulation

Section 5-310(a)(13)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

(Over)

On page 2, in line 20, after “DECEDENT” insert “IN ACCORDANCE WITH ALL AUTHORIZATIONS REQUIRED BY LAW”; in line 30, strike “72” and substitute “48”; and in lines 32 and 33, strike “LOWER THAN 44 DEGREES FAHRENHEIT” and substitute “DETERMINED BY REGULATION”.

AMENDMENT NO. 2

On page 3, in line 5, after “DIRECTORS” insert “OR THE OFFICE OF CEMETERY OVERSIGHT”; strike beginning with the second “A” in line 22 down through “CREMATORY” in line 24 and substitute “:

(1) A FUNERAL ESTABLISHMENT LICENSED UNDER TITLE 7 OF THE HEALTH OCCUPATIONS ARTICLE;

(2) A CREMATORY LICENSED UNDER TITLE 7 OF THE HEALTH OCCUPATIONS ARTICLE;

(3) A CREMATORY PERMITTED UNDER TITLE 5 OF THE BUSINESS REGULATION ARTICLE; OR

(4) ANOTHER FACILITY THAT HAS PASSED AN INSPECTION WITH THE STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS OR THE OFFICE OF CEMETERY OVERSIGHT WITHIN THE PAST 2 YEARS”;

in line 32, strike “OR” and substitute a comma; and in line 33, after “DIRECTORS” insert “, OR PERMITTED BY THE OFFICE OF CEMETERY OVERSIGHT”.

AMENDMENT NO. 3

On page 4, in line 3, strike “OR” and substitute a comma; in line 4, after “DIRECTORS” insert “, OR PERMITTED BY THE OFFICE OF CEMETERY

OVERSIGHT"; in line 7, after "DIRECTORS" insert "OR THE OFFICE OF CEMETERY OVERSIGHT"; in line 10, strike "HAS" and substitute ":

1. HAS;

and in line 11, after "FACILITY" insert "; OR

2. A. HAS GIVEN ORAL PERMISSION FOR THE BODY TO BE TRANSPORTED TO THE FACILITY; AND

B. WITHIN 36 HOURS AFTER GIVING ORAL PERMISSION, PROVIDES WRITTEN VERIFICATION OF THE ORAL PERMISSION".

AMENDMENT NO. 4

On page 2, after line 17, insert:

"Article – Business Regulation

5–101.

- (a) In this title the following words have the meanings indicated.
- (g) "Director" means the Director of the Office of Cemetery Oversight.

5–310.

(a) Subject to the hearing provisions of § 5–312 of this subtitle, the Director may deny a registration or permit to an applicant, reprimand a person subject to the registration or permit provisions of this title, or suspend or revoke a registration or permit if an applicant, registrant, or permit holder, or an agent, employee, officer, director, or partner of the applicant, registrant, or permit holder:

(Over)

(11) fails to comply with any terms of settlement under a binding arbitration agreement; [or]

(12) is found guilty by a court in this State of violating an unfair or deceptive trade practices provision under Title 13 of the Commercial Law Article; OR

(13) FAILS TO COMPLY WITH § 5-513 OF THE HEALTH – GENERAL ARTICLE.”.