

HB0243/846386/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 243  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Saab” and substitute “Saab, Bhandari, Chisholm, Hill, Johnson, Morgan, Pena–Melnyk, Pendergrass, Reilly, Szeliga, and K. Young”; in line 7, after “fund;” insert “requiring the cemetery to submit a certain statement to the Director of the Office of Cemetery Oversight if the cemetery selects a certain method of distribution from the perpetual care trust fund;”; in line 8, strike “of the Office of Cemetery Oversight”; in line 14, after “fund;” insert “requiring the trustee to submit a certain annual statement to the Director under certain circumstances;”; and in line 22, after “term;” insert “requiring the Director to make a certain report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 8, strike “5%” and substitute “4%”; after line 14, insert:

**“1. THE TRUSTEE SHALL SUBMIT TO THE DIRECTOR A STATEMENT ATTESTING THAT THE CEMETERY’S SELECTION OF THE METHOD OF DISTRIBUTION DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION IS NOT REASONABLY EXPECTED TO RESULT IN INSUFFICIENT PROTECTION OF THE PERPETUAL CARE TRUST FUND’S PRINCIPAL;”**;

in line 22, strike “30” and substitute “60”; and in lines 15, 18, 21, and 24, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “2.”, “3.”, “4.”, and “5.”, respectively.

On page 5, after line 10, insert:

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“(I) SHALL SUBMIT ANNUALLY TO THE DIRECTOR A STATEMENT ATTESTING THAT THE CEMETERY’S SELECTION OF THE METHOD OF DISTRIBUTION DESCRIBED IN PARAGRAPH (2)(II) OF THIS SUBSECTION IS NOT REASONABLY EXPECTED TO RESULT IN INSUFFICIENT PROTECTION OF THE PERPETUAL CARE TRUST FUND’S PRINCIPAL;”;

in lines 11, 13, and 15, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively; strike beginning with the second “THE” in line 22 down through “TO” in line 23; and in line 31, after “REVIEW” insert “SUBMITTED BY THE TRUSTEE”.

On page 6, in line 1, after “REVIEW” insert “SUBMITTED BY THE TRUSTEE”.

AMENDMENT NO. 3

On page 6, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2027, the Director of the Office of Cemetery Oversight shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on:

(1) the number of cemeteries that have selected the method of distribution described in § 5-603(f)(2)(ii) of the Business Regulation Article, as enacted by Section 1 of this Act;

(2) the annual performance of the perpetual care trust fund of each cemetery that has made a selection described under item (1) of this section beginning on the date the selection was made; and

(3) recommendations, if any, for legislation related to perpetual care trust funds.”;

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and in line 28, strike “2.” and substitute “3.”.