
By: Delegates Morhaim, Kittleman, Bobo, M. Burns, and Kagan

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Sale of Funeral and Burial Merchandise**

3 FOR the purpose of altering provisions of law relating to the sale of funeral-related and
4 burial-related merchandise; specifying that the Maryland Morticians Act does not
5 apply to the sale of funeral-related or burial-related merchandise by persons other
6 than licensees under the Maryland Morticians Act; altering provisions relating to
7 preneed contracts; providing that certain sales of funeral-related or burial-related
8 merchandise are not required to comply with provisions of law relating to preneed
9 sales; and prohibiting a cemetery or a licensee under the Maryland Morticians Act
10 from refusing to provide services, or from imposing an additional fee, solely because
11 merchandise from another source is used; and generally relating to the sale and use
12 of funeral and burial merchandise.

13 BY repealing and reenacting, without amendments,
14 Article - Business Regulation
15 Section 5-401(d) and (g)
16 Annotated Code of Maryland
17 (1992 Volume and 1995 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Business Regulation
20 Section 5-401(e), 5-402, 5-404, and 5-410 through 5-412
21 Annotated Code of Maryland
22 (1992 Volume and 1995 Supplement)

23 BY repealing
24 Article - Business Regulation
25 Section 5-405 through 5-409
26 Annotated Code of Maryland
27 (1992 Volume and 1995 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article - Health Occupations
30 Section 7-102
31 Annotated Code of Maryland

2

1 (1994 Replacement Volume and 1995 Supplement)

2 BY adding to

3 Article - Health Occupations

4 Section 7-506

5 Annotated Code of Maryland

6 (1994 Replacement Volume and 1995 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article - Business Regulation**

10 5-401.

11 (d) "Preneed burial contract" means a written instrument under which preneed
12 goods or preneed services are to be sold and delivered or performed.

13 (e) (1) "Preneed goods" means goods that are sold:

14 (i) before the buyer's death; and

15 (ii) in connection with burial.

16 (2) "Preneed goods" includes:

17 (I) A CASKET;

18 [(i)] (II) a grave liner;

19 [(ii)] (III) a memorial;

20 [(iii)] (IV) a monument;

21 [(iv)] (V) a scroll;

22 [(v)] (VI) an urn;

23 [(vi)] (VII) a vase; and

24 [(vii)] (VIII) a vault.

25 (3) "Preneed goods" does not include burial space.

26 (g) "Seller" means a person who sells preneed goods or preneed services.

27 5-402.

28 (a) This subtitle does not apply to:

29 (1) the sale of burial space; [or]

30 (2) a preneed contract made by an individual in connection with practicing
31 funeral direction or practicing mortuary science, as those practices are defined in and
32 regulated by the Health Occupations Article;

3

1 (3) THE SALE OF ANY MERCHANDISE IF, AT THE TIME OF PURCHASE,
2 PAYMENT IS MADE IN FULL AND THE BUYER TAKES POSSESSION OF THE
3 MERCHANDISE; OR

4 (4) THE SALE OF SERVICES IF, AT THE TIME OF PURCHASE, PAYMENT IS
5 MADE IN FULL AND SERVICES ARE ACTUALLY PERFORMED.

6 (b) This subtitle does not allow a person, directly or indirectly, through an agent
7 or otherwise, to practice funeral direction or practice mortuary science, unless the person
8 is licensed to practice funeral direction or practice mortuary science under the Health
9 Occupations Article.

10 (c) A preneed burial contract made under this subtitle is not an insurance
11 contract and does not involve the business of insurance.

12 (d) (1) This subtitle does not require a cemetery to accept goods, perform
13 services, or allow services to be performed if the goods or services are contrary to:

14 [(1)] (I) the law concerning burial; or

15 [(2)] (II) the rules of the cemetery concerning the quality and kind of goods
16 or services that may be used in connection with burial in the cemetery.

17 (2) NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A
18 CEMETERY MAY NOT REFUSE TO PERFORM SERVICES, OR IMPOSE ANY ADDITIONAL
19 CHARGE OR SERVICE FEE, SOLELY BECAUSE AN INDIVIDUAL PROVIDES GOODS
20 FROM A SOURCE OTHER THAN THE CEMETERY OR A SPECIFIC VENDOR CHOSEN BY
21 THE CEMETERY.

22 5-404.

23 [(a) A preneed burial contract shall contain:

24 (1) the name of the buyer;

25 (2) the name of the seller;

26 (3) the name of each individual, other than the buyer, as to whom the
27 preneed goods or preneed services are to be furnished;

28 (4) a description of the preneed goods or preneed services; and

29 (5) the amount of the buyer's financial obligation.

30 (b) (1) A preneed burial contract shall be dated and executed in duplicate by
31 the buyer and seller.

32 (2) The seller shall give the buyer a duplicate original of the preneed burial
33 contract.

34 (c) (1) A preneed burial contract may provide for delivery of identified preneed
35 goods by providing for the seller to:

36 (i) transfer physical possession of the preneed goods to the buyer or
37 designee of the buyer;

4

1 (ii) attach the preneed goods to a designated burial space;

2 (iii) pay for and suitably store the preneed goods until needed, at a
3 cemetery or other location of the seller, if the preneed goods are marked with the name
4 of the buyer and the sale is supported by a verifiable record; or

5 (iv) have the supplier of the preneed goods:

6 1. cause title to be transferred to the buyer or designee of the
7 buyer; and

8 2. agree in writing to ship the preneed goods at the direction of
9 the buyer or designee of the buyer.

10 (2) If a preneed burial contract does not provide for the manner of delivery
11 of preneed goods, compliance with paragraph (1)(i) or (ii) of this subsection is delivery in
12 accordance with this subtitle.

13 (d) Notwithstanding any provision in a preneed burial contract, identified
14 preneed services are not considered to have been performed until performance actually
15 occurs.]

16 (A) (1) A PRENEED CONTRACT SHALL CONTAIN:

17 (I) THE NAME OF EACH PARTY TO THE CONTRACT AND, IF THE
18 BENEFICIARY IS AN INDIVIDUAL OTHER THAN THE BUYER, THE NAME OF THE
19 BENEFICIARY OF THE CONTRACT;

20 (II) A DESCRIPTION OF ANY SERVICE OR MERCHANDISE TO BE
21 PROVIDED UNDER THE PRENEED CONTRACT;

22 (III) THE TOTAL PRICE OF THE SERVICES AND MERCHANDISE
23 AGREED ON; AND

24 (IV) THE METHOD OF PAYMENT.

25 (2) A PRENEED CONTRACT SHALL BE EXECUTED IN DUPLICATE AND BE
26 SIGNED BY EACH PARTY.

27 (3) THE SELLER SHALL GIVE ONE OF THE DUPLICATE ORIGINALS OF
28 THE PRENEED CONTRACT TO THE BUYER.

29 (B) (1) WITHIN 10 DAYS AFTER RECEIVING A PAYMENT UNDER A PRENEED
30 CONTRACT, THE SELLER SHALL DEPOSIT THE PAYMENT INTO AN INTEREST
31 BEARING, ESCROW OR TRUST ACCOUNT WITH:

32 (I) A BANKING INSTITUTION THAT IS INSURED BY AN AGENCY OF
33 THE FEDERAL GOVERNMENT; OR

34 (II) A SAVINGS AND LOAN ASSOCIATION THAT IS INSURED BY AN
35 AGENCY OF THE FEDERAL GOVERNMENT.

36 (2) A SELLER NEED NOT HAVE A SEPARATE ESCROW OR TRUST
37 ACCOUNT FOR EACH PRENEED CONTRACT.

5

1 (3) (I) ANY INTEREST OR DIVIDENDS EARNED BY THE ESCROW OR
2 TRUST ACCOUNT PRIOR TO SERVICE BEING RENDERED BELONG TO THE BUYERS OF
3 THE PRENEED CONTRACTS.

4 (II) UPON PERFORMANCE OF THE CONTRACT, ANY INTEREST OR
5 DIVIDENDS EARNED BY THE ESCROW OR TRUST ACCOUNT BELONG TO THE SELLER.

6 (C) (1) EXCEPT AS MAY BE PROVIDED IN AN IRREVOCABLE TRUST
7 ESTABLISHED UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE BANKING
8 INSTITUTION OR SAVINGS AND LOAN ASSOCIATION WITH WHICH FUNDS ARE
9 DEPOSITED UNDER THIS SECTION IS NOT RESPONSIBLE FOR THE APPLICATION OF
10 PRENEED CONTRACT ESCROW OR TRUST FUNDS.

11 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A SELLER
12 MAY NOT WITHDRAW FROM THE ACCOUNT ANY MONEY RECEIVED FROM A BUYER
13 UNLESS THE SERVICES AND MERCHANDISE HAVE BEEN PROVIDED AS AGREED IN
14 THE CONTRACT.

15 (3) A PRENEED CONTRACT IS ENDED AND A SELLER SHALL REFUND TO
16 A BUYER ALL PAYMENTS AND INTEREST HELD FOR THE BUYER IF:

17 (I) THE BUYER OR THE LEGAL REPRESENTATIVE OF THE BUYER
18 DEMANDS IN WRITING A REFUND OF ALL PAYMENTS MADE;

19 (II) THE BUSINESS OF THE SELLER IS DISCONTINUED OR SOLD;

20 (III) THE SELLER IS UNABLE TO PERFORM UNDER THE TERMS AND
21 CONDITIONS OF THE PRENEED CONTRACT; OR

22 (IV) THE BUYER FAILS TO PAY THE ENTIRE CONTRACT PRICE
23 BEFORE THE DEATH OF THE BENEFICIARY, AND THE SELLER CONSIDERS THE
24 PRENEED CONTRACT VOID.

25 (4) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (3) OF
26 THIS SUBSECTION, THE BUYER OF A PRENEED CONTRACT HAS THE OPTION, AT ANY
27 TIME, TO ESTABLISH, UNDER PARAGRAPH (5) OF THIS SUBSECTION, AN
28 IRREVOCABLE TRUST WITH RESPECT TO ALL OR ANY PORTION OF THE PAYMENT
29 MADE UNDER THE CONTRACT IN THE ESCROW OR TRUST ACCOUNT HELD BY THE
30 SELLER, BUT ONLY FOR THE PURPOSE OF ENTITLING THE BUYER TO BE ELIGIBLE
31 FOR ANY CURRENT SOCIAL SECURITY BENEFITS OR FOR ANY BENEFITS UNDER ANY
32 OTHER PLAN THAT RESTRICTS ELIGIBILITY TO THOSE WITH LIMITED ASSETS.

33 (II) THE TRUST DOCUMENT ESTABLISHING A TRUST UNDER THIS
34 PARAGRAPH SHALL CONTAIN THE FOLLOWING NOTICE, CONSPICUOUSLY
35 DISPLAYED IN 10-POINT BOLDFACE TYPE:

36 "THIS DOCUMENT CREATES AN IRREVOCABLE TRUST. UNDER THE TERMS OF
37 THIS DOCUMENT, A BUYER MAY NOT RECEIVE A REFUND OF ANY PAYMENTS MADE
38 FOR THE PRENEED BURIAL CONTRACT".

39 (5) THE TRUST DOCUMENT ESTABLISHING A TRUST UNDER
40 PARAGRAPH (4) OF THIS SUBSECTION SHALL PROVIDE FOR:

6

1 (I) THE DISPOSITION OF THE INCOME EARNED BY THE TRUST
2 WHICH SHALL INURE TO THE BENEFIT OF THE BUYER;

3 (II) THE TRANSFER OF THE TRUST FUNDS IF REQUIRED BY A
4 TRUSTEE SUBSTITUTED UNDER PARAGRAPH (6) OF THIS SUBSECTION; AND

5 (III) THE DISPOSITION OF THE TRUST FUNDS IF:

6 1. THE BUSINESS OF THE SELLER IS DISCONTINUED OR
7 SOLD;

8 2. THE SELLER IS UNABLE TO PERFORM UNDER THE TERMS
9 AND CONDITIONS OF THE PRENEED CONTRACT; AND

10 3. THE BUYER FAILS TO PAY THE ENTIRE CONTRACT PRICE
11 BEFORE THE DEATH OF THE BENEFICIARY AND THE SELLER CONSIDERS THE
12 PRENEED CONTRACT VOID.

13 (6) IF THE BUYER EXERCISES THE OPTION DESCRIBED IN PARAGRAPH
14 (4) OF THIS SUBSECTION, THE BUYER, A RELATIVE OF THE BUYER, OR LEGAL
15 REPRESENTATIVE OF THE BUYER SHALL RETAIN THE RIGHT TO APPOINT, AS
16 TRUSTEE OF THE IRREVOCABLE TRUST, A TRUSTEE OTHER THAN THE ONE
17 ORIGINALLY DESIGNATED IN THE CONTRACT.

18 (7) IF A CONTRACT IS VOIDED UNDER PARAGRAPH (3) OF THIS
19 SUBSECTION AND THE OPTION TO ESTABLISH AN IRREVOCABLE TRUST HAS BEEN
20 EXERCISED UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE BUYER, A RELATIVE
21 OF THE BUYER, OR A LEGAL REPRESENTATIVE OF THE BUYER SHALL RETAIN THE
22 RIGHT TO APPOINT, AS TRUSTEE OF THE IRREVOCABLE TRUST, A TRUSTEE OTHER
23 THAN THE ONE ORIGINALLY DESIGNATED IN THE CONTRACT.

24 (D) (1) A PRENEED CONTRACT IS NOT SUBJECT TO THE RETAIL
25 INSTALLMENT SALES ACT.

26 (e) (1) Except as otherwise provided in this subsection, a preneed burial
27 contract may not provide for interest or a finance charge.

28 (2) A cemetery that makes a preneed burial contract may impose interest or
29 a finance charge on preneed goods delivered before death or preneed services performed
30 before death.

31 (3) A cemetery may sell a preneed burial contract to a commercial lending
32 institution if the preneed burial contract signed by the original buyer of the preneed
33 goods or preneed services contains the following language in 12-point or larger type:

34 "Notice to consumers: This contract of sale may be sold to a commercial lending
35 institution. After the sale, the commercial lending institution may impose interest or a
36 finance charge on the remaining balance due".

37 (f) A provision of a preneed burial contract that purports to waive any provision
38 of this subtitle is void.

7

1 [5-405.

2 (a) A seller shall put in trust the second 50% of the total preneed burial contract
3 price as the seller receives payments from the buyer.

4 (b) Within 30 days after receipt of the last payment, the seller shall deposit an
5 additional amount to make the balance in the trust account equal to 55% of the total
6 contract price.

7 (c) This section does not apply to:

8 (1) a preneed burial contract under which all preneed goods and preneed
9 services, other than caskets, scrolls, and other additions that represent not more than 10%
10 of the total contract price, must be delivered or performed within 120 days after receipt of
11 50% of the total contract price; or

12 (2) money that a seller receives for preneed goods or preneed services to be
13 delivered or performed within 120 days after receipt of any payment on account of the
14 sale, if the buyer's obligation for these preneed goods or preneed services is separately
15 itemized.]

16 [5-406.

17 (a) Each trust account shall be:

18 (1) titled "preneed trust account"; and

19 (2) established by the seller in the seller's name.

20 (b) A trustee appointed under this subtitle must be:

21 (1) a national banking association, as defined in the Financial Institutions
22 Article;

23 (2) a banking institution, as defined in the Financial Institutions Article; or

24 (3) any other financial institution allowed by law to engage in the trust
25 business.

26 (c) A seller may:

27 (1) commingle money from 2 or more preneed burial contracts; and

28 (2) establish more than 1 trust account.

29 (d) (1) A trust account established under this subtitle shall be a single purpose
30 trust.

31 (2) Money in the trust account is not available to a creditor as an asset of
32 the seller.

33 (e) Money in the trust account may be withdrawn only on the combined signatures
34 of:

35 (1) 2 officers of a corporate seller; or

8

1 (2) at least 2 individuals authorized to withdraw money for an
2 unincorporated seller.]

3 [5-407.

4 (a) In this section, "seller's account" means:

5 (1) the total of specific funds deposited from all preneed burial contracts of
6 a seller commingled in a single fund; and

7 (2) any income derived from investing the money in the fund.

8 (b) Trust accounts shall be administered as this subtitle provides.

9 (c) (1) Except as otherwise provided in this subtitle, a trustee appointed under
10 this subtitle is subject to the law that is generally applicable to trustees.

11 (2) If a trustee appointed under this subtitle is not located in the State, the
12 agreement between the seller and the trustee expressly shall incorporate this subtitle.

13 (d) A trustee:

14 (1) may rely on all certifications made under or required by this subtitle; and

15 (2) is not liable to any person for that reliance.

16 (e) (1) A trustee may invest money of a trust account in any security that is a
17 lawful investment for a fiduciary, including a time deposit or certificate of deposit issued
18 by the trustee.

19 (2) Except as otherwise provided in this subtitle, to ensure that money in the
20 trust account is adequate, the trust income shall:

21 (i) remain in the trust account;

22 (ii) be reinvested and compounded; and

23 (iii) be disbursed only for payment of appropriate trustee's fees,
24 commissions, and other costs of the trust account.

25 (f) (1) A seller, on written notice to the trustee and in accordance with the
26 agreement between them, may transfer the seller's account to another trustee.

27 (2) A trustee, on written notice to the seller and in accordance with the
28 agreement between them, may transfer the seller's account to another trustee.

29 (g) (1) Except as otherwise provided in this subsection, each trustee shall
30 submit to the State Bank Commissioner an annual statement of account of the money in
31 each trust account.

32 (2) A savings and loan association shall submit the annual statement of
33 account to the State Director of the Division of Savings and Loan Associations.]

9

1 [5-408.

2 (a) The trustee may not disburse specific funds until preneed goods are delivered
3 or preneed services are performed as provided in the preneed burial contract or in this
4 subtitle.

5 (b) On performance of a preneed burial contract:

6 (1) the seller shall certify to the trustee:

7 (i) delivery of the preneed goods or performance of the preneed
8 services; and

9 (ii) the amount of specific funds in the trust account; and

10 (2) the trustee shall then pay to the seller the specific funds and accrued
11 interest.

12 (c) (1) In a seller's records, the seller may itemize preneed goods or preneed
13 services to which the trust requirements of this subtitle apply and the consideration paid
14 or to be paid for each item.

15 (2) If a seller itemizes in accordance with paragraph (1) of this subsection,
16 on performance of that part of a preneed burial contract identified for itemized preneed
17 goods or preneed services:

18 (i) the seller shall certify to the trustee:

19 1. delivery of the preneed goods or performance of the preneed
20 services; and

21 2. the amount of the specific funds identified in the seller's
22 records for those preneed goods or preneed services; and

23 (ii) the trustee shall then pay to the seller those specific funds and
24 accrued interest.

25 (d) (1) If a preneed burial contract provides, for 2 or more individuals, preneed
26 goods or preneed services to which the trust requirements of this subtitle apply, a seller
27 may designate in the seller's records the consideration paid for each individual.

28 (2) On performance of that part of the preneed burial contract identified to
29 a particular individual:

30 (i) the seller shall certify to the trustee:

31 1. delivery of the preneed goods or performance of the preneed
32 services; and

33 2. the amount of the specific funds applicable to that part of the
34 preneed burial contract; and

35 (ii) the trustee shall then pay to the seller those specific funds and
36 accrued interest.]

10

1 [5-409.

2 (a) (1) A buyer may cancel a preneed burial contract as to preneed goods not
3 delivered or preneed services not performed if the buyer:

4 (i) permanently moves more than 75 miles from the cemetery
5 specified in the preneed burial contract; and

6 (ii) gives to the seller written notice, under oath, of the move and
7 includes the buyer's new permanent address.

8 (2) In that event:

9 (i) the seller shall certify to the trustee:

10 1. the cancellation of the preneed burial contract;

11 2. the amount of the remaining specific funds applicable to the
12 preneed burial contract; and

13 3. the name and address of the buyer; and

14 (ii) the trustee shall then pay to the buyer the remainingspecific funds
15 and accrued interest.

16 (b) If a buyer defaults on a preneed burial contract and, as a result, the seller
17 terminates the preneed burial contract:

18 (1) the seller shall certify to the trustee:

19 (i) the default and termination of the preneed burial contract;

20 (ii) the amount of the specific funds; and

21 (iii) the reasonable expenses of the seller; and

22 (2) the trustee shall then pay:

23 (i) to the buyer, those specific funds and accrued interest, less the
24 reasonable expenses of the seller; and

25 (ii) to the seller, the reasonable expenses of the seller.

26 (c) If specific funds on deposit in a trust account have been dormant for at least
27 50 years since the date of the last deposit or disbursement and the seller cannot locate the
28 buyer:

29 (1) the seller shall certify to the trustee:

30 (i) that the trust account is dormant and the buyer cannot be located;
31 and

32 (ii) the amount of the specific funds; and

33 (2) the trustee shall then pay to the seller those specific funds and accrued
34 interest.]

11

1 [5-410.] 5-405.

2 (a) (1) Each seller shall keep detailed records of all preneed burial contracts
3 and specific funds.

4 (2) The records of each seller and of each trustee appointed by the seller
5 are subject to examination by:

6 (i) the Attorney General or an authorized representative of the
7 Attorney General; and

8 (ii) the State's Attorney for the county where the seller does business.

9 (b) (1) Each seller subject to the trust requirements of this subtitle shall submit
10 a report to the Secretary of State within 120 days after the close of each calendar or other
11 fiscal year chosen by the seller.

12 (2) The report shall:

13 (i) be on the form that the Secretary of State requires;

14 (ii) be certified by a certified public accountant employed by the seller;

15 (iii) be accompanied by a fee of \$25; and

16 (iv) include:

17 1. the name of the seller;

18 2. each location of the seller;

19 3. the amount of money that the seller received during that year
20 that is subject to the trust requirements of this subtitle;

21 4. the amount of money actually deposited into trust accounts
22 in that year; and

23 5. the name and address of the trustee.

24 (3) A seller who stops selling preneed goods or preneed services shall notify
25 the Secretary of State in the required report for the year in which sales stop.

26 (c) The Secretary of State may adopt regulations:

27 (1) to administer this section; and

28 (2) for determining whether sellers are complying with this subtitle.

29 [5-411.] 5-406.

30 (a) If the Secretary of State finds that a seller has violated this subtitle or a
31 regulation adopted under this subtitle, the Secretary of State may refer the matter to:

32 (1) the Attorney General for civil enforcement; or

33 (2) the appropriate State's Attorney for criminal prosecution.

12

1 (b) The Attorney General may sue for and a court may grant:

2 (1) injunctive or other equitable relief;

3 (2) imposition of a civil penalty not exceeding \$5,000; or

4 (3) both.

5 [5-412.] 5-407.

6 (a) A seller may not fail to deposit, as required by this subtitle, money received
7 under or in connection with a preneed burial contract.

8 (b) (1) A person who violates this section is guilty of a misdemeanor and, on
9 conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year
10 or both.

11 (2) If a corporation violates this section, each officer responsible for the
12 violation is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding
13 \$5,000 or imprisonment not exceeding 1 year or both.

14 **Article - Health Occupations**

15 7-102.

16 (a) This title does not limit the right of an individual to practice a health
17 occupation that the individual is authorized to practice under this article.

18 (b) This title does not apply to the business of operating a cemetery or crematory,
19 including the sale of cemetery lots, grave sites, mausoleums, monuments, lawn crypts, or
20 vaults.

21 (C) THIS TITLE DOES NOT APPLY TO:

22 (1) THE SALE OF MERCHANDISE BY ANY PERSON OTHER THAN A
23 LICENSEE UNDER THIS TITLE; OR

24 (2) THE SALE OF ANY MERCHANDISE IF, AT THE TIME OF PURCHASE,
25 PAYMENT IS MADE IN FULL AND THE BUYER TAKES POSSESSION OF THE
26 MERCHANDISE.

27 7-506.

28 A LICENSEE UNDER THIS TITLE MAY NOT REFUSE TO PERFORM SERVICES, OR
29 IMPOSE ANY ADDITIONAL CHARGE OR SERVICE FEE, SOLELY BECAUSE THE
30 INDIVIDUAL WHO REQUESTS FUNERAL ARRANGEMENTS PROVIDES A CASKET OR
31 OTHER FUNERAL-RELATED MERCHANDISE FROM A SOURCE OTHER THAN THE
32 LICENSEE OR A SPECIFIC VENDOR CHOSEN BY THE LICENSEE.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1996.