
By: **Delegates J. Kelly, Dypski, and Donoghue**
Introduced and read first time: February 16, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Office of Cemetery Oversight - Religious, Nonprofit Cemeteries**

3 FOR the purpose of repealing a certain provision that applies to a person that owns
4 and operates a bona fide religious, nonprofit cemetery and sells preneed goods;
5 expanding the scope of a certain exemption; and generally relating to
6 cemeteries.

7 BY repealing
8 Chapter 675 of the Acts of the General Assembly of 1997
9 Section 9

10 BY repealing and reenacting, with amendments,
11 Article - Business Regulation
12 Section 5-102(a)
13 Annotated Code of Maryland
14 (1998 Replacement Volume)

15 BY repealing and reenacting, without amendments,
16 Article - Business Regulation
17 Section 5-405
18 Annotated Code of Maryland
19 (1998 Replacement Volume)

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

22 **Chapter 675 of the Acts of 1997**

23 [SECTION 9. AND BE IT FURTHER ENACTED, That the provisions of this
24 Act relating to the registration or permitting of a person that owns and operates a
25 bona fide religious, nonprofit cemetery and sells preneed goods shall take effect on
26 October 1, 1999.]

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Article - Business Regulation

2 5-102.

3 (a) The registration and permitting provisions of this title do not apply to:

4 (1) a person that owns and operates a bona fide religious, nonprofit
5 cemetery in this State [and does not sell preneed goods]; or6 (2) a not for profit organization created before 1900 by an act of the
7 General Assembly.

8 5-405.

9 Except for a cemetery in which no burials have taken place within the previous
10 5 years, a bona fide religious, nonprofit cemetery that is exempt under § 5-102 of this
11 title from the registration and permitting requirements of this title shall file with the
12 Office, once every 2 years, a statement that includes:

13 (1) the name and address of the cemetery;

14 (2) the name and address of the religious organization that owns and
15 operates the cemetery; and16 (3) the name and address of the individual who is responsible for the
17 oversight of the cemetery.18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1999.