

HOUSE BILL 1031

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SB 185/98 - FIN

1999 Regular Session
9lr2293

By: **Delegates J. Kelly, Dypski, and Donoghue**
Introduced and read first time: February 16, 1999
Assigned to: Rules and Executive Nominations
Re-referred to: Economic Matters, February 22, 1999

Committee Report: Favorable
House action: Adopted
Read second time: March 24, 1999

CHAPTER _____

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:

1

Chapter 675 of the Acts of 1997

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

6

Article - Business Regulation

7 5-102.

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

9 (1) a person that owns and operates a bona fide religious, nonprofit
10 cemetery in this State [and does not sell preneed goods]; or

11 (2) a not for profit organization created before 1900 by an act of the
12 General Assembly.

13 5-405.

14 Except for a cemetery in which no burials have taken place within the previous
15 5 years, a bona fide religious, nonprofit cemetery that is exempt under § 5-102 of this
16 title from the registration and permitting requirements of this title shall file with the
17 Office, once every 2 years, a statement that includes:

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

19 (2) the name and address of the religious organization that owns and
20 operates the cemetery; and

21 (3) the name and address of the individual who is responsible for the
22 oversight of the cemetery.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1999.