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By: **Delegate Morhaim**

Introduced and read first time: February 4, 2000

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Mortuary Science Business - Corporations - Licenses**

3 FOR the purpose of authorizing the State Board of Morticians to issue to a  
4 corporation a license to operate a mortuary science business; providing that if a  
5 license is not used in a certain period it shall be void; placing certain restrictions  
6 on the transfer of a corporate license; eliminating certain requirements for the  
7 renewal of a corporate license; requiring certain reports; and generally relating  
8 to allowing corporations to obtain licenses to operate mortuary science  
9 businesses.

10 BY repealing and reenacting, with amendments,  
11 Article - Health Occupations  
12 Section 7-309  
13 Annotated Code of Maryland  
14 (1994 Replacement Volume and 1999 Supplement)

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

17 **Article - Health Occupations**

18 7-309.

19 (a) (1) [Except as otherwise provided by law, a] A corporation may [not]  
20 OBTAIN A LICENSE TO operate a mortuary science business [and] FROM the Board  
21 [may not issue a license to or list any corporation as licensed to operate a mortuary  
22 science business].

23 (2) IF A CORPORATE LICENSE IS NOT USED FOR THE PRACTICE OF  
24 MORTUARY SCIENCE IN ANY 2-YEAR PERIOD, THE LICENSE IS VOID.

25 (3) IF A CORPORATE LICENSE IS SOLD OR OTHERWISE TRANSFERRED,  
26 THE CONSIDERATION FOR THE TRANSFER OF THE LICENSE MAY NOT EXCEED THE  
27 AMOUNT OF THE FEE PAID TO THE BOARD.

28 (b) The Board may renew [only] the license of a corporation that:

- 1           (1)     [On June 1, 1945, held a license issued by this State;
- 2           (2)     Has been renewed continuously since that date;
- 3           (3)]    Submits an application on a form required by the Board; and
- 4           [(4)]   (2)     Pays a fee set by the Board.

5       (c)     Each application for renewal made by a corporation shall state the name  
6 and address of each officer and director of the corporation.

7       (d)     While a [corporation] CORPORATE license is effective, it authorizes a  
8 corporation to operate a mortuary science business only if any practice of mortuary  
9 science that is conducted for the corporation is practiced by a licensed individual.

10      (e)     A corporation may not operate a branch funeral establishment unless the  
11 branch funeral establishment was in operation on or before October 1, 1964.

12      (f)     If a corporation is sold, declares bankruptcy, or ceases to operate, written  
13 notice must be submitted to:

14           (1)     The Board, within 2 weeks of the occurrence, detailing the changes  
15 and the arrangements for carrying out the pre-need contracts and disbursement of  
16 the money held in escrow; and

17           (2)     The holders of pre-need contracts advising them of their options  
18 under Maryland law.

19      SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of  
20 Morticians shall report annually to the General Assembly, in accordance with §  
21 2-1246 of the State Government Article, on the granting of corporate licenses and  
22 may make any recommendations for changes in the law relating to those licenses.

23      SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2000.