
By: **Delegate Schisler**

Introduced and read first time: January 21, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Cemeteries - Exemption from Perpetual Care Trust Fund Requirements**

3 FOR the purpose of exempting certain cemeteries from certain perpetual care trust
4 fund requirements; and generally relating to cemeteries.

5 BY repealing and reenacting, with amendments,
6 Article - Business Regulation
7 Section 5-601
8 Annotated Code of Maryland
9 (1998 Replacement Volume and 2001 Supplement)

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

12 **Article - Business Regulation**

13 5-601.

14 (a) This subtitle does not apply to a cemetery that:

15 (1) has less than 1 acre available for burial; or

16 (2) is owned and operated by:

17 (i) a county;

18 (ii) a municipal corporation;

19 (iii) a church;

20 (iv) a synagogue;

21 (v) a religious organization;

22 (vi) a not for profit organization created before 1900 by an act of the
23 General Assembly; [or]

1 (vii) a State veterans agency; OR

2 (VIII) A NOT FOR PROFIT ORGANIZATION CREATED BEFORE 1900
3 THAT MAINTAINS A PERPETUAL CARE TRUST FUND THAT DOES NOT EXCEED
4 \$250,000.

5 (b) This subtitle does not apply to the sale of a below-ground earth-covered
6 chamber.

7 (c) This subtitle does not amend a trust agreement covering a perpetual care
8 fund that existed on or before July 1, 1973, except as to:

9 (1) the appointment of a successor trustee or cotrustee;

10 (2) deposits into the fund after July 1, 1973; and

11 (3) the withdrawal from the fund of income on deposits made after July
12 1, 1973.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2002.