

Department of Legislative Services  
 Maryland General Assembly  
 2003 Session

FISCAL AND POLICY NOTE

House Bill 756 (Delegate Cadden, *et al.*)  
 Economic Matters

Crematory Regulation

This bill requires the State Board of Morticians to regulate and license the operators of crematories within the State. The current basic regulatory scheme for morticians applies to crematory operators. Licensure requires the payment of a fee and provision of the name and address of the licensee, the crematory, and any employees who will operate the crematory facility.

The bill prohibits the simultaneous cremation of the remains of more than one person unless specifically authorized in writing by an authorizing agent with legal authority to determine the final disposition of the remains.

Fiscal Summary

**State Effect:** Special fund revenues would increase by \$8,400 in FY 2004 due to license fees. Out-year revenues reflect a biennial license cycle. The bill’s provisions could be handled with existing resources.

(in dollars)	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
SF Revenue	\$8,400	\$0	\$8,400	\$0	\$8,400
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	\$8,400	\$0	\$8,400	\$0	\$8,400

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** Meaningful impact on operators of crematories due to licensure and regulatory requirements.

## Analysis

**Current Law:** Cremation services in Maryland are provided by both licensed morticians and regulated cemeteries. Licensed morticians that provide cremation services must maintain a complete file of a cremation that includes the signature of the next of kin, person identifying the body, or person responsible for disposition of the remains; time of death; and date and time of cremation. Cremation services provided by cemeteries are not regulated. Emissions permits are required by the Department of the Environment.

**State Fiscal Effect:** Special fund revenues could increase by \$8,400 in fiscal 2004 and in subsequent even-numbered years. This estimate assumes the regulation of 28 crematories at a fee of \$300 each and a constant number of registrants in the out-years. Any increase in crematory inspections could be handled with existing resources.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 484 (Senator Astle) – Finance.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - February 14, 2003  
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