
By: **Senator Giannetti**
Introduced and read first time: February 18, 2004
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Morticians - Exemption and Permit**

3 FOR the purpose of providing that certain licensing requirements for practicing
4 mortuary science do not limit the Maryland State Board of Morticians from
5 issuing a permit to certain clergy to handle, transport, and work with a dead
6 human body in performing certain religious services without a mortician's
7 license; subjecting certain clergy to conditions and limitations the Board may
8 specify; and generally relating to exceptions to the Maryland Morticians Act.

9 BY repealing and reenacting, with amendments,
10 Article - Health Occupations
11 Section 7-301
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2003 Supplement)

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

16 **Article - Health Occupations**

17 7-301.

18 (a) Except as provided in subsection (b) of this section, an individual shall be
19 licensed by the Board before the individual may practice mortuary science in this
20 State.

21 (b) This section does not:

22 (1) Limit the right of a school of medicine or dentistry to use and dispose
23 of a dead human body or its parts;

24 (2) Limit the right of any person who is authorized by law to handle or
25 dispose of a dead human body or its parts, if the person acts within the scope of that
26 authorization;

1 (3) Affect the right of an authorized officer or employee of the United
2 States or the District of Columbia to practice mortuary science in the course of that
3 individual's duties;

4 (4) Apply to an individual who makes funeral arrangements in the
5 course of the duties of that individual as an attorney; [or]

6 (5) LIMIT THE RIGHT OF THE BOARD TO ISSUE A PERMIT TO AN
7 AUTHORIZED IMAM FROM AN ISLAMIC CENTER OR MOSQUE TO HANDLE,
8 TRANSPORT, AND WORK WITH A DEAD HUMAN BODY IN PERFORMING AN ISLAMIC
9 RELIGIOUS FUNERAL SERVICE; OR

10 [(5)] (6) [(i)] Limit the right of the Board to issue temporary permits
11 to out-of-state licensed morticians for teaching purposes involving an approved
12 continuing education program or disaster situations as deemed necessary by the
13 Board.

14 [(ii)] (C) (1) A mortician who is issued a temporary permit shall
15 be subject to any conditions and limitations that the Board may specify in the permit
16 and the provisions of this title.

17 (2) AN IMAM WHO IS ISSUED A PERMIT SHALL BE SUBJECT TO ANY
18 CONDITIONS AND LIMITATIONS THAT THE BOARD MAY SPECIFY IN THE PERMIT.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
20 effect October 1, 2004.