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By: **Delegates D. Davis, Conroy, Doory, Haddaway, Impallaria, Jameson,  
Kirk, Krysiak, Love, Minnick, Moe, Walkup, and Wood**

Introduced and read first time: February 11, 2005

Assigned to: Health and Government Operations and Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation - Corporations - License to Operate Funeral**  
3 **Establishment**

4 FOR the purpose of prohibiting a corporation owned or controlled by a registered  
5 cemeterian or permit holder and certain other corporations from holding a  
6 corporation license to operate a funeral establishment under certain  
7 circumstances; and generally relating to corporations and licenses to operate  
8 funeral establishments.

9 BY adding to  
10 Article - Business Regulation  
11 Section 5-803 and 19-103  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume)

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

16 **Article - Business Regulation**

17 5-803.

18 (A) THIS SECTION DOES NOT APPLY TO A CORPORATION THAT:

19 (1) ON JUNE 1, 1945, HELD A CORPORATION LICENSE, ISSUED BY THE  
20 STATE, TO OPERATE A MORTUARY SCIENCE BUSINESS; AND

21 (2) CONTINUOUSLY RENEWED THE CORPORATION LICENSE SINCE THE  
22 DATE THE LICENSE WAS ISSUED.

23 (B) A CORPORATION THAT IS OWNED OR CONTROLLED BY A REGISTERED  
24 CEMETERIAN OR PERMIT HOLDER MAY NOT HOLD A CORPORATION LICENSE TO  
25 OPERATE A FUNERAL ESTABLISHMENT UNDER § 7-310 OF THE HEALTH  
26 OCCUPATIONS ARTICLE.

1 19-103.

2 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A CORPORATION MAY NOT  
3 HOLD A CORPORATION LICENSE TO OPERATE A FUNERAL ESTABLISHMENT UNDER §  
4 7-310 OF THE HEALTH OCCUPATIONS ARTICLE UNLESS THE CORPORATION:

5 (1) ON JUNE 1, 1945, HELD A CORPORATION LICENSE, ISSUED BY THE  
6 STATE, TO OPERATE A MORTUARY SCIENCE BUSINESS; AND

7 (2) CONTINUOUSLY RENEWED THE CORPORATION LICENSE SINCE THE  
8 DATE THE LICENSE WAS ISSUED.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2005.