

SENATE BILL 408

J1

EMERGENCY BILL
ENROLLED BILL

(0lr2106)

— Finance/Health and Government Operations —

Introduced by **Senators Peters, Astle, Colburn, Garagiola, Klausmeier, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, ~~and Zirkin~~ Zirkin, Middleton, Della, Exum, Glassman, Kelley, Kittleman, and Pipkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Disposition of Remains – Armed Forces Members**

3 FOR the purpose of authorizing a certain person designated on a certain form to
4 arrange for the final disposition of the body of a member of the United States
5 armed forces under certain circumstances; making this Act an emergency
6 measure; and generally relating to the disposition of the remains of United
7 States armed forces members.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 5–509(a)
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article – Health – General**

4 5–509.

5 (a) (1) Any individual who is 18 years of age or older may decide the
6 disposition of the individual’s own body after that individual’s death without the
7 predeath or post–death consent of another person by executing a document that
8 expresses the individual’s wishes regarding disposition of the body or by entering into
9 a pre–need contract.

10 (2) THE PERSON DESIGNATED ON A UNITED STATES
11 DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA (DD FORM 93), OR
12 ITS SUCCESSOR FORM, AS THE PERSON AUTHORIZED TO DIRECT DISPOSITION
13 MAY ARRANGE FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT,
14 INCLUDING BY CREMATION UNDER § 5–502 OF THIS SUBTITLE, IF THE
15 DECEDENT:

16 (i) DIED WHILE SERVING IN THE UNITED STATES ARMED
17 FORCES; AND

18 (ii) EXECUTED THE UNITED STATES DEPARTMENT OF
19 DEFENSE RECORD OF EMERGENCY DATA (DD FORM 93), OR ITS SUCCESSOR
20 FORM.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
22 ~~October 1, 2010~~ is an emergency measure, is necessary for the immediate preservation
23 of the public health or safety, has been passed by a yea and nay vote supported by
24 three-fifths of all the members elected to each of the two Houses of the General
25 Assembly, and shall take effect from the date it is enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.