

Chapter 68

(Senate Bill 408)

AN ACT concerning

Public Health – Disposition of Remains – Armed Forces Members

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

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–509(a)

Annotated Code of Maryland

(2009 Replacement Volume)

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

Article – Health – General

5–509.

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

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

(I) **DIED WHILE SERVING IN THE UNITED STATES ARMED FORCES; AND**

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

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

Approved by the Governor, April 13, 2010.