

HOUSE BILL 905

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CF SB 335

By: **Delegates Kach, Elliott, Minnick, and Oaks**

Introduced and read first time: February 7, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Funeral Establishments – Preparation and**
3 **Holding Rooms**

4 FOR the purpose of establishing that a funeral establishment that uses a central
5 preparation room at another funeral establishment is not required to have its
6 own preparation room or holding room; and generally relating to funeral
7 establishments.

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 7–310
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

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

15 **Article – Health Occupations**

16 7–310.

17 (a) (1) A funeral establishment shall be licensed by the Board before the
18 establishment may be used for the preparation of the remains, viewing, and
19 conducting of services.

20 (2) The licensee may be restricted to operations as determined by the
21 Board.

22 (b) (1) To apply for a funeral establishment license, an applicant shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Submit an application to the Board on the form that the
2 Board requires; and

3 (ii) Pay to the Board:

4 1. An application fee set by the Board; and

5 2. The fee established under § 7-4A-05(a) of this title.

6 (2) An application for a funeral establishment license shall be signed
7 by a licensed individual who is not an apprentice but is the owner or co-owner of the
8 establishment to be licensed.

9 (c) The Board shall issue a funeral establishment license to a funeral
10 establishment that:

11 (1) Has complied with all applicable State and local laws;

12 (2) Will be owned and operated in accordance with this title by at least
13 one licensed mortician or one licensed funeral director, or a holder of a surviving
14 spouse or corporation license; and

15 (3) Will be held responsible for any and all activities performed on the
16 premises.

17 (d) Signs and advertisements of a funeral establishment shall display the
18 name that appears on the establishment license.

19 **(E) A FUNERAL ESTABLISHMENT THAT USES A CENTRAL PREPARATION**
20 **ROOM AT ANOTHER FUNERAL ESTABLISHMENT IS NOT REQUIRED TO HAVE ITS**
21 **OWN PREPARATION ROOM OR HOLDING ROOM.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2013.