

HOUSE BILL 1221

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3lr1567

By: **Delegates Vitale and Ready**

Introduced and read first time: February 8, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Morticians and Funeral Directors – Practice of Mortuary**
3 **Science – Trade Names**

4 FOR the purpose of altering a prohibition on practicing mortuary science under a
5 certain name to allow a person to practice mortuary science under a name other
6 than the name that appears on that person's license; and generally relating to
7 the regulation of the practice of mortuary science by the State Board of
8 Morticians and Funeral Directors.

9 BY repealing and reenacting, with amendments,
10 Article – Health Occupations
11 Section 7–503
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2012 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 7–503.

18 (a) [Except as provided in subsection (b) of this section, a] **A** licensee may
19 [not] practice mortuary science under [any] **A** name other than the name that appears
20 on that person's license.

21 (b) (1) The name appearing on the license may be a trade or copyrighted
22 name which may be sold to another licensee as part of the goodwill of the funeral
23 establishment.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) If the sale of the trade name or copyrighted name is made part of a
2 sale of a funeral establishment:

3 (i) The buyer must:

4 1. Notify the Board of the sale of the trade or
5 copyrighted name; and

6 2. Apply for a funeral license in the name of the new
7 owner; and

8 (ii) The funeral establishment license must indicate that the
9 trade or copyrighted name will continue to be used by the new owner.

10 (3) The sale of a funeral establishment does not preclude the buyer
11 from advertising the funeral establishment as the successor to the funeral
12 establishment acquired.

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