

SB0070/674633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 70  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Prohibition on”; and strike beginning with “prohibiting” in line 4 down through “Directors;” in line 5 and substitute “requiring a stay if a licensed funeral establishment notes an appeal from an order of summary suspension by the State Board of Morticians and Funeral Directors; authorizing a stay if a certain licensee notes an appeal from an order of summary suspension by the Board; requiring a court to provide notice of an opportunity to be heard to certain parties before staying a certain order; prohibiting a court from staying a certain order if, after a hearing, the court makes a certain finding;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “If” and substitute “EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, IF”; in the same line, strike the brackets; in line 10, strike “PERSON” and substitute “LICENSED FUNERAL ESTABLISHMENT”; in the same line, strike “SUMMARY”; in line 11, after “SUSPENSION” insert “OF A LICENSE MADE”; in the same line, after “BOARD” insert “IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE”; in the same line, strike “MAY NOT BE” and substitute “IS”; and after line 11, insert:

“(3) (1) IF A LICENSEE THAT IS NOT A LICENSED FUNERAL ESTABLISHMENT NOTES AN APPEAL FROM AN ORDER OF SUSPENSION OF A LICENSE MADE BY THE BOARD IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE, THE ORDER MAY BE STAYED.

(Over)

(II) BEFORE A COURT MAY STAY AN ORDER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COURT SHALL NOTIFY THE LICENSEE AND THE BOARD OF THE OPPORTUNITY TO BE HEARD.

(III) A COURT MAY NOT STAY AN ORDER ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF, AFTER A HEARING, THE COURT FINDS THAT THE VIOLATION BY THE LICENSEE PRESENTS A SUBSTANTIAL LIKELIHOOD OF RISK OF SERIOUS HARM TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.”.