

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 463

(Delegate K. Young)

Health and Government Operations

Education, Health, and Environmental Affairs

State Board of Morticians and Funeral Directors - Funeral Establishment
Licenses - Ownership and Operation Requirements

This bill clarifies that the State Board of Morticians and Funeral Directors may only issue a funeral establishment license if (1) the establishment is owned and operated by an individual or a group of individuals in which each individual is a licensed mortician, a licensed funeral director, or a holder of a surviving spouse license; (2) the establishment is owned and operated by a holder of a corporation license; or (3) the establishment is operated by a holder of an executor license.

Fiscal Summary

State Effect: None. The bill clarifies current practice.

Local Effect: None.

Small Business Effect: None. The bill clarifies current practice and, thus, has no impact on funeral establishment owners or operators.

Analysis

Current Law/Background: A funeral establishment is any building, structure, or premises from which the practice of mortuary science is conducted. The practice of mortuary science includes the practice of funeral direction and disinfecting or preserving a human body. The practice of funeral direction means operating a funeral establishment, and preparing or arranging for final disposition of a body for compensation. Funeral establishments must be licensed by the board before they may be used for the preparation of remains, viewing, or conducting services.

Statutory language states that funeral establishments must be owned and operated by at least one licensed mortician, licensed funeral director, holder of a surviving spouse license, holder of a corporation license, or holder of an executor license. The holder of an executor license does not own the funeral establishment. Thus, the bill clarifies statute in this regard. Also, in practice, the board has always required that all owners and operators be licensed.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2015
md/jc Revised - Enrolled Bill - April 28, 2015

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