

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 219

(Chair, Finance Committee)(By Request - Departmental -
Labor)

Finance

Economic Matters

Office of Cemetery Oversight – Sunset Extension

This departmental bill extends the termination date for the Office of Cemetery Oversight (OCO) within the Maryland Department of Labor by 10 years to July 1, 2033.

Fiscal Summary

State Effect: Special fund revenues and expenditures for OCO are maintained beyond FY 2023.

Local Effect: None.

Small Business Effect: The Maryland Department of Labor has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services (DLS) concurs with this assessment.

Analysis

Current Law/Background: The primary objective of OCO is to register and monitor individuals and businesses engaged in the operation of cemeteries and burial goods businesses in Maryland. This includes individuals and companies that sell funerary monuments and memorials on a retail basis. OCO also regulates and provides registration for crematories under its jurisdiction in the State.

Responsibilities of OCO include the investigation and mediation of consumer complaints involving registrants and permit holders. To protect Maryland citizens from unfair and unscrupulous practices, OCO determines and enforces the ethical standards related to the

operation of cemeteries and those related to the provision of burial goods and services within the State. OCO also regulates and monitors the funds held in perpetual care and preneed trusts by its licensees.

OCO is one of approximately 60 regulatory entities and activities subject to termination unless reauthorized periodically through statute. Under the Maryland Program Evaluation Act, these entities may also be subject to an evaluation by the Office of Program Evaluation and Government Accountability (OPEGA) within DLS prior to their termination. However, OPEGA may conduct an evaluation only if directed by specified entities or by legislation. OCO is scheduled to terminate July 1, 2023; OPEGA was not asked to conduct an evaluation prior to its termination. Accordingly, OCO has requested reauthorizing legislation.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Labor; Department of Legislative Services

Fiscal Note History: First Reader - January 11, 2022
fnu2/mcr Third Reader - January 27, 2022

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Office of Cemetery Oversight – Sunset Extension

BILL NUMBER: SB 219

PREPARED BY: Deborah A. Rappazzo, Executive Director

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

OR

WILL HAVE A MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

N/A