

# SENATE BILL 57

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(PRE-FILED)

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By: **Senator Simonaire**

Requested: June 8, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment and Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Funeral Establishments, Crematories, and Reduction Facilities – Disposition of**  
3 **Unclaimed Remains – Veterans**

4 FOR the purpose of requiring licensed funeral establishments, crematory operators, or  
5 reduction facilities to take certain actions if a certain veterans service organization  
6 does not take possession of certain unclaimed cremains, hydrolyzed remains, or soil  
7 remains that qualify for a plot in a veterans cemetery within a certain period of time;  
8 and generally relating to the disposition of unclaimed remains of veterans.

9 BY repealing and reenacting, with amendments,  
10 Article – Business Regulation  
11 Section 5–803  
12 Annotated Code of Maryland  
13 (2024 Replacement Volume)

14 BY repealing and reenacting, with amendments,  
15 Article – Health Occupations  
16 Section 7–406(b)(2)(i)  
17 Annotated Code of Maryland  
18 (2021 Replacement Volume and 2024 Supplement)

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

21 **Article – Business Regulation**

22 5–803.

23 (a) (1) In this section the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “Eligible dependent” means a veteran’s spouse, a veteran’s unmarried  
2 child under the age of 21 years, or a veteran’s unmarried adult child who before the age of  
3 21 became permanently incapable of self-support because of physical or mental disability.

4 (3) (i) “Identifying information” means data required by a veterans  
5 service organization to verify the eligibility of a veteran or an eligible dependent for burial  
6 in a national or state veterans cemetery.

7 (ii) “Identifying information” includes name, service number, Social  
8 Security number, date of birth, date of death, place of birth, and copy of the death  
9 certificate.

10 (4) “Veteran” has the meaning stated in § 9–901 of the State Government  
11 Article.

12 (5) “Veterans service organization” means an association or other entity  
13 organized for the benefit of veterans that has been recognized by the U.S. Department of  
14 Veterans Affairs or chartered by Congress and any employee or representative of the  
15 association or entity.

16 (b) (1) If a licensed funeral establishment or a crematory is in possession of  
17 cremated human remains or hydrolyzed remains that have been unclaimed for 90 days or  
18 more, the licensed funeral establishment or holder of the permit for the business of  
19 operating a crematory shall provide identifying information of the unclaimed cremains or  
20 hydrolyzed remains to a veterans service organization in order for the veterans service  
21 organization to determine if the unclaimed cremains or hydrolyzed remains are those of a  
22 veteran or an eligible dependent.

23 (2) (i) Subparagraph (ii) of this paragraph does not apply if:

24 1. an authorizing agent directs otherwise; or

25 2. a reduction facility reasonably concludes based on the  
26 identifying information or other evidence that a decedent does not qualify for disposition  
27 benefits associated with veterans status.

28 (ii) A reduction facility in possession of human remains that are  
29 being processed by natural organic reduction shall provide identifying information to a  
30 veterans service organization within 5 business days after natural organic reduction is  
31 initiated to determine if the soil remains are those of a veteran or an eligible dependent.

32 (c) Within 45 days after receipt of the information required by subsection (b) of  
33 this section, the veterans service organization shall notify the licensed funeral  
34 establishment, permit holder, or reduction facility:

35 (1) whether the cremains, hydrolyzed remains, or soil remains are those of  
36 a veteran or an eligible dependent; and

1           (2) if so, whether the veteran or eligible dependent is eligible for burial in  
2 a veterans cemetery.

3           (d) If the unclaimed cremains or hydrolyzed remains are those of a veteran or an  
4 eligible dependent, the licensed funeral establishment or permit holder may transfer the  
5 cremains to a veterans service organization for the purpose of disposition of the cremains  
6 or hydrolyzed remains.

7           (e) If the unclaimed soil remains are those of a veteran or an eligible dependent,  
8 the reduction facility may:

9           (1) transfer a portion of the soil remains not exceeding 300 cubic inches in  
10 volume to a veterans service organization that grants permission for the purpose of  
11 disposition; and

12           (2) if authorized by the cemetery or owner, transfer the balance of soil  
13 remains to a cemetery or the owner of a woodland protected under the Forest Conservation  
14 Act.

15           **(F) IF A VETERANS SERVICE ORGANIZATION DOES NOT TAKE POSSESSION**  
16 **OF UNCLAIMED CREMAINS OR HYDROLYZED REMAINS THAT QUALIFY FOR A PLOT IN**  
17 **A STATE VETERANS CEMETERY UNDER § 9-906 OF THE STATE GOVERNMENT**  
18 **ARTICLE, WITHIN 10 DAYS AFTER THE LICENSED FUNERAL ESTABLISHMENT OR**  
19 **PERMIT HOLDER RECEIVES THE NOTIFICATION REQUIRED UNDER SUBSECTION (C)**  
20 **OF THIS SECTION, THE LICENSED FUNERAL ESTABLISHMENT OR PERMIT HOLDER**  
21 **SHALL:**

22           **(1) NOTIFY THE DEPARTMENT OF VETERANS AND MILITARY**  
23 **FAMILIES OF THE STATUS OF THE CREMAINS OR HYDROLYZED REMAINS FOR THE**  
24 **PURPOSE OF THE APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED**  
25 **REMAINS; AND**

26           **(2) TRANSFER THE CREMAINS OR HYDROLYZED REMAINS TO THE**  
27 **DEPARTMENT OF VETERANS AND MILITARY FAMILIES FOR THE PURPOSE OF THE**  
28 **APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED REMAINS.**

29           **(G) IF A VETERANS SERVICE ORGANIZATION DOES NOT TAKE POSSESSION**  
30 **OF A PORTION OF UNCLAIMED SOIL REMAINS UNDER SUBSECTION (E)(1) OF THIS**  
31 **SECTION THAT QUALIFIES FOR A PLOT IN A STATE VETERANS CEMETERY UNDER §**  
32 **9-906 OF THE STATE GOVERNMENT ARTICLE, WITHIN 10 DAYS AFTER THE**  
33 **REDUCTION FACILITY RECEIVES THE NOTIFICATION, THE REDUCTION FACILITY**  
34 **SHALL:**

