

SENATE BILL 57

C2, J1

5lr0656

(PRE-FILED)

By: **Senator Simonaire**

Requested: June 8, 2024

Introduced and read first time: January 8, 2025

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 22, 2025

CHAPTER _____

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Business Regulation

1
2 5–803.

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

4 (2) “Eligible dependent” means a veteran’s spouse, a veteran’s unmarried
5 child under the age of 21 years, or a veteran’s unmarried adult child who before the age of
6 21 became permanently incapable of self–support because of physical or mental disability.

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

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

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

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

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

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

27 1. an authorizing agent directs otherwise; or

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

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

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

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

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

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

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

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

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

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

27 **(1) NOTIFY THE DEPARTMENT OF VETERANS AND MILITARY**
28 **FAMILIES OF THE STATUS OF THE CREMAINS OR HYDROLYZED REMAINS FOR THE**
29 **PURPOSE OF THE APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED**
30 **REMAINS; AND**

31 **(2) TRANSFER THE CREMAINS OR HYDROLYZED REMAINS TO THE**
32 **DEPARTMENT OF VETERANS AND MILITARY FAMILIES FOR THE PURPOSE OF THE**
33 **APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED REMAINS.**

34 **(G) IF A VETERANS SERVICE ORGANIZATION DOES NOT TAKE POSSESSION**
35 **OF A PORTION OF UNCLAIMED SOIL REMAINS UNDER SUBSECTION (E)(1) OF THIS**

1 SECTION THAT QUALIFIES FOR A PLOT IN A STATE VETERANS CEMETERY UNDER §
 2 9-906 OF THE STATE GOVERNMENT ARTICLE, WITHIN 10 DAYS AFTER THE
 3 REDUCTION FACILITY RECEIVES THE NOTIFICATION, THE REDUCTION FACILITY
 4 SHALL:

5 (1) NOTIFY THE DEPARTMENT OF VETERANS AND MILITARY
 6 FAMILIES OF THE STATUS OF THE SOIL REMAINS FOR THE PURPOSE OF THE
 7 APPROPRIATE DISPOSITION OF THE SOIL REMAINS;

8 (2) TRANSFER THE SOIL REMAINS TO THE DEPARTMENT OF
 9 VETERANS AND MILITARY FAMILIES FOR THE PURPOSE OF THE APPROPRIATE
 10 DISPOSITION OF THE SOIL REMAINS; AND

11 (3) IF AUTHORIZED BY THE CEMETERY OR OWNER, TRANSFER THE
 12 BALANCE OF THE SOIL REMAINS TO A CEMETERY OR THE OWNER OF A WOODLAND
 13 PROTECTED UNDER THE FOREST CONSERVATION ACT.

14 **Article – Health Occupations**

15 7-406.

16 (b) (2) (i) If a licensed funeral establishment or a crematory is in
 17 possession of cremated human remains or hydrolyzed remains that have been unclaimed
 18 for 90 days or more, the licensed funeral establishment or holder of the permit for the
 19 business of operating a crematory shall provide identifying information of the unclaimed
 20 cremains or hydrolyzed remains to a veterans service organization in order for the veterans
 21 service organization to determine if the unclaimed cremains **OR HYDROLYZED REMAINS**
 22 are those of a veteran or an eligible dependent.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 24 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.