

Department of Legislative Services  
Maryland General Assembly  
2025 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1445  
Judiciary

(Delegate Qi)

---

Licensed Funeral Establishments - Provision of Fact Sheet on Real Property  
Ownership

---

This bill requires the Department of Housing and Community Development (DHCD) to develop and publish on its website a fact sheet that provides information about (1) the legal issues related to deeds, heirs, and the ownership of residential real property following the death of a homeowner, commonly known as a tangled title; (2) how an individual can address such legal issues; and (3) the legal resources and free or low-cost services that are available to low-income individuals in the areas of probate law and estate administration. DHCD must provide the fact sheet in a printable format from its website and update the fact sheet, as needed. During the course of providing funeral services to a consumer, a licensed funeral establishment must provide a printed copy of the fact sheet to the immediate family members (spouse, child, sibling, parent, grandparent, grandchild, stepparent, stepchild, and stepsibling) of the deceased or the authorized representative. **The bill takes effect June 1, 2025.**

---

Fiscal Summary

**State Effect:** The bill’s requirements can be handled with existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** Minimal.

---

Analysis

**Current Law:** Under the Estates and Trusts Article, all “property” of a decedent is subject to the estates of decedents law, and upon the person’s death, must pass directly to the personal representative (a fiduciary who settles and distributes the estate of the decedent in

accordance with any will and the estates of decedents law) for administration and distribution. “Property” is all real and personal property of the decedent and any right or interest in the property, which does not pass, at the time of the decedent’s death, to another person by the terms of the instrument under which it is held, or by operation of law. Generally, any part of the net estate of a decedent not effectively disposed of by the decedent’s will (the intestate estate) must be distributed pursuant to statutory provisions that govern distribution of the intestate estate among a surviving spouse, living lineal descendants, and/or other heirs.

### *Affordable Life, Wills, and Estate Planning*

The Affordable Life, Wills, and Estate Planning for Seniors Grant Program within the Maryland Legal Services Corporation (MLSC) provides eligible seniors access to legal services concerning primarily wills, powers of attorney, special needs trusts, advance health care directives, and life estate deeds. The Governor must include an appropriation of \$225,000 in the annual budget bill for the program. MLSC was established by the General Assembly in 1982 to raise funds and make grants to nonprofit organizations for the provision of civil legal assistance to low-income persons in Maryland.

### *Funeral Establishments*

A funeral establishment must be licensed by the State Board of Morticians and Funeral Directors before the establishment may be used for the preparation of remains, viewing, or conducting of services. The board issues a license to a funeral establishment that has complied with all applicable State and local laws and will be (1) owned and operated by an individual who is (or a group of individuals in which each individual is) a licensed mortician, a licensed funeral director, or holder of a surviving spouse license; (2) owned and operated by a holder of a corporation license; or (3) operated by a holder of an executor license. Each licensed funeral establishment must have a supervising mortician who is held responsible for all activities performed on behalf of the funeral establishment with the knowledge or at the direction of the supervising mortician.

**Additional Comments:** A “tangled title” refers to a situation where an individual is believed to have a legal interest in a home, but the individual’s name is not on the property’s deed. Tangled titles often arise when a homeowner has passed away without ensuring that the home can be retitled.

---

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Register of Wills; Maryland Department of Health; Department of Housing and Community Development; Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2025  
rh/jkb

---

Analysis by: Amberly E. Holcomb

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510