

# HOUSE BILL 364

P1, C2, J2

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CF SB 46

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By: **Delegate Kipke**

Introduced and read first time: January 19, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

1 AN ACT concerning

### **State Veterans' Cemeteries – Interment**

3 FOR the purpose of defining the term “interment location” for the purposes of provisions of  
4 law governing the interment of individuals in State veterans’ cemeteries; requiring  
5 the Department of Veterans and Military Families to provide an outer burial  
6 receptacle, rather than a grave liner, or a columbarium niche and marker at no cost  
7 with each interment location at a State veterans’ cemetery; and generally relating to  
8 interment in State veterans’ cemeteries.

9 BY repealing and reenacting, without amendments,

10 Article – Business Regulation

11 Section 5–101(a)

12 Annotated Code of Maryland

13 (2024 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article – Business Regulation

16 Section 5–101(p) and 5–803

17 Annotated Code of Maryland

18 (2024 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Health Occupations

21 Section 7–406

22 Annotated Code of Maryland

23 (2021 Replacement Volume and 2025 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – State Government

26 Section 9–901, 9–905.1, 9–906(a) and (e) through (i), and 9–907

27 Annotated Code of Maryland

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



1 (2021 Replacement Volume and 2025 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

3 That the Laws of Maryland read as follows:

4 **Article – Business Regulation**

5 5–101.

6 (a) In this title the following words have the meanings indicated.

7 (p) “Interment” means all final disposition of human remains or pet remains,  
8 including:

9 (1) earth burial;

10 (2) mausoleum entombment; and

11 (3) niche or columbarium [interment] **INURNMENT**.

12 5–803.

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

14 (2) “Eligible dependent” means a veteran’s spouse, a veteran’s unmarried  
15 child under the age of 21 years, or a veteran’s unmarried adult child who before the age of  
16 21 became permanently incapable of self–support because of physical or mental disability.

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

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

23 (4) “Veterans service organization” means an association or other entity  
24 organized for the benefit of veterans that has been recognized by the U.S. Department of  
25 Veterans Affairs or chartered by Congress and any employee or representative of the  
26 association or entity.

27 (b) (1) If a licensed funeral establishment or a crematory is in possession of  
28 cremated human remains or hydrolyzed remains that have been unclaimed for 90 days or  
29 more, the licensed funeral establishment or holder of the permit for the business of  
30 operating a crematory shall provide identifying information of the unclaimed cremains or  
31 hydrolyzed remains to a veterans service organization in order for the veterans service

1 organization to determine if the unclaimed cremains or hydrolyzed remains are those of a  
2 veteran or an eligible dependent.

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

4 1. an authorizing agent directs otherwise; or

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

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

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

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

17 (2) if so, whether the veteran or eligible dependent is eligible for [burial]  
18 **INTERMENT** in a veterans cemetery.

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

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

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

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

31 (f) If a veterans service organization does not take possession of unclaimed  
32 cremains or hydrolyzed remains that qualify for [a plot] **AN INTERMENT LOCATION** in a  
33 State veterans cemetery under § 9-906 of the State Government Article, within 10 days  
34 after the licensed funeral establishment or permit holder receives the notification required

1 under subsection (c) of this section, the licensed funeral establishment or permit holder  
2 shall:

3 (1) notify the Department of Veterans and Military Families of the status  
4 of the cremains or hydrolyzed remains for the purpose of the appropriate disposition of the  
5 cremains or hydrolyzed remains; and

6 (2) transfer the cremains or hydrolyzed remains to the Department of  
7 Veterans and Military Families for the purpose of the appropriate disposition of the  
8 cremains or hydrolyzed remains.

9 (g) If a veterans service organization does not take possession of a portion of  
10 unclaimed soil remains under subsection (e)(1) of this section that qualifies for **[a plot] AN**  
11 **INTERMENT LOCATION** in a State veterans cemetery under § 9-906 of the State  
12 Government Article, within 10 days after the reduction facility receives the notification,  
13 the reduction facility shall:

14 (1) notify the Department of Veterans and Military Families of the status  
15 of the soil remains for the purpose of the appropriate disposition of the soil remains;

16 (2) transfer the soil remains to the Department of Veterans and Military  
17 Families for the purpose of the appropriate disposition of the soil remains; and

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

## 21 Article – Health Occupations

22 7-406.

23 (a) A licensee shall maintain a complete file for each cremation and each alkaline  
24 hydrolysis or natural organic reduction that is initiated that includes the signature of the  
25 next of kin, person identifying the body, or person responsible for disposition, time of death,  
26 and the date and time of cremation or the time that the alkaline hydrolysis or natural  
27 organic reduction was initiated.

28 (b) (1) (i) In this subsection the following words have the meanings  
29 indicated.

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

1 (iii) 1. "Identifying information" means data required by a  
2 veterans service organization to verify the eligibility of a veteran or an eligible dependent  
3 for burial in a national or state veterans cemetery.

(iv) "INTERMENT" HAS THE MEANING STATED IN § 9-901 OF THE  
STATE GOVERNMENT ARTICLE.

(v) "Veteran" has the meaning stated in § 9-901 of the State Government Article.

22 (ii) 1. Subsubparagraph 2 of this subparagraph does not apply  
23 if:

24 A. An authorizing agent directs otherwise; or

32 (3) Within 45 days after receipt of the information required under  
33 paragraph (2) of this subsection, the veterans service organization shall notify the licensed  
34 funeral establishment, permit holder, or reduction facility:

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

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

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

(7) If a veterans service organization does not take possession of a portion of unclaimed soil remains under paragraph (5)(i) of this subsection that qualifies for [a plot] **AN INTERMENT LOCATION** in a State veterans' cemetery under § 9-906 of the State Government Article within 10 days after the reduction facility receives the notification required under paragraph (3) of this subsection, the reduction facility shall:

31 (i) Notify the Department of Veterans and Military Families of the  
32 status of the soil remains for the purpose of the appropriate disposition of the portion of soil  
33 remains;

34 (ii) Transfer the portion of soil remains to the Department of  
35 Veterans and Military Families for the purpose of the appropriate disposition of the portion  
36 of the soil remains; and

(iii) If authorized by the cemetery or owner, transfer the balance of the soil remains to a cemetery or the owner of a woodland protected under the Forest Conservation Act.

## Article – State Government

5 9-901.

6 (a) In this subtitle the following words have the meanings indicated.

7 (b) "Active duty" has the meaning stated in 37 U.S.C. § 101.

8 (c) "Active service member" means an individual who is:

9 (1) an active duty member of the uniformed services; or

(2) serving in a reserve component of the uniformed services on active duty  
orders.

12 (d) "Armed forces" has the meaning stated in 10 U.S.C. § 101.

13 (e) "Board" means the Board of Trustees of the Maryland Veterans Trust.

14 (f) "Department" means the Department of Veterans and Military Families.

15 (G) "INTERMENT" MEANS ALL FINAL DISPOSITION OF HUMAN REMAINS,  
16 INCLUDING:

17 (1) EARTH BURIAL; AND

18 (2) NICHE OR COLUMBARIUM.

19 (H) "INTERMENT LOCATION" MEANS A GRAVE PLOT OR NICHE IN A  
20 COLUMBARIUM.

21        **[(g)] (I)**      "Military family" includes the spouse and dependent children of a  
22 service member or veteran related by blood, marriage, or adoption.

[b] (D) "Reserve component" has the meaning stated in 37 U.S.C. § 101.

24 [i] (K) "Secretary" means the Secretary of Veterans and Military Families

[i] (1) "Service member" means an individual who is a member of:

26 (1) the uniformed services; or

(2) a reserve component of the uniformed services.

[(k)] (M) "Trust" means the Maryland Veterans Trust.

[D] [N] “Uniformed services” has the meaning stated in 37 U.S.C. § 101.

4           [(m)] (O) Except as otherwise provided in this subtitle, "veteran" has the  
5 meaning stated in 38 U.S.C. § 101.

6 9-905.1.

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

(2) "Advertisement" means:

(i) a written or printed communication made for the purpose of soliciting business for veterans benefits appeals services;

11 (ii) a directory listing for a person that is offering veterans benefits  
12 appeals services; or

13 (iii) a radio, television, computer network or airwave, or electronic  
14 transmission that solicits business for or promotes a person offering veterans benefits  
15 appeals services.

24 (b) (1) Before entering into an agreement with an individual for the provision  
25 of veterans benefits services or veterans benefits appeals services, a person who charges a  
26 fee for those services shall:

27 (i) provide a written disclosure statement to each individual; and

28 (ii) obtain the individual's signature on the written disclosure  
29 statement acknowledging that the individual understands the disclosure statement.

30 (2) The written disclosure statement shall:

1 (i) be on a form approved by the Secretary; and

2 (ii) state that veterans benefits services and veterans benefits  
3 appeals services are offered at no cost by the Department and other veterans services  
4 organizations accredited by the U.S. Department of Veterans Affairs.

5 (c) A person who charges a fee for providing veterans benefits appeals services  
6 shall provide in any advertisement for appeals services notice that appeals services are also  
7 offered at no cost by the Department and other veterans services organizations accredited  
8 by the U.S. Department of Veterans Affairs.

9 (d) (1) A person who violates the provisions of this section is subject to a civil  
10 penalty of not more than \$1,000 for each violation.

11 (2) Civil penalties shall be in an amount ordered by the District Court in  
12 an action brought by the Attorney General.

13 (3) Each day a violation continues is a separate violation.

14 (4) Any civil penalty collected shall be deposited in the Maryland Veterans  
15 Trust Fund.

16 9-906.

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

18 (2) "American braille tactile flag" means a tactile flag designed to allow  
19 blind people to experience the American flag, including a flag created by the Kansas Braille  
20 Transcription Institute.

21 (3) In this section and in § 9-907 of this subtitle, "eligible decedent" means:

22 (i) a veteran;

23 (ii) a qualified reserve member; or

24 (iii) an eligible spouse or dependent.

25 (4) "Eligible dependent" means:

26 (i) a child who meets the requirements stated in 38 C.F.R. §  
27 38.620(e);

28 (ii) a parent who meets the requirements stated in 38 C.F.R. §  
29 38.620(i); or

(iii) a parent or child related by blood, marriage, or adoption of a qualified reserve member.

3 (5) "Eligible spouse" means:

4 (i) a spouse who meets the requirements stated in 38 C.F.R. §  
5 38.620(e); or

6 (ii) a spouse of a qualified reserve member.

(7) "State veterans' cemetery" means a cemetery that the Department establishes under this section.

13 (8) "Washington Cemetery" means the Civil War cemetery grounds  
14 authorized by Chapter 213 of the Acts of the General Assembly of 1870.

15 (e) The Department shall provide [a plot] **AN INTERMENT LOCATION** in a State  
16 veterans' cemetery, without charge, to a veteran or a veteran's eligible spouse or dependent  
17 who meets the requirements of this section.

18 (f) To qualify for [a plot] AN INTERMENT LOCATION in a State veterans'  
19 cemetery:

20 (1) the eligible decedent must be:

21 (i) a veteran who meets the requirements for [burial] **INTERMENT**  
22 at a national veterans' cemetery;

23 (ii) a qualified reserve member; or

24 (iii) an eligible spouse or dependent who meets the requirements of  
25 this subsection; and

28 (i) when the qualified reserve member entered the reserve  
29 component;

30 (ii) when the qualified reserve member died; or

(iii) for 2 years, unless, for a reason that the Department finds compelling, the Department waives the time period.

23 9-907.

24 The Department shall keep a registry of the [graves] **INTERMENT LOCATIONS** of  
25 eligible decedents who are [buried] **INTERRED** in the State veterans' cemeteries.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2026.