

HOUSE BILL 564

C2

6lr1628

By: **Delegates Allen, Behler, Bhandari, Cardin, Chang, Ebersole, Embry, Fair, Forbes, Guyton, Guzzone, D. Jones, Kaufman, Ross, Ruth, and Woorman**

Introduced and read first time: January 28, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Pet Cremation and Burial Services – Requirements**
3 **(Pet Cremation and Burial Services Consumer Protection Act)**

4 FOR the purpose of establishing certain consumer protection requirements for registered
5 cemeterians, registered cemetery operators, or certain permit holders that sell or
6 offer for sale pet cremation services of pet remains; establishing the duties of certain
7 persons responsible for returning pet cremains to certain animal owners after
8 cremation; and generally relating to the cremation of pet remains.

9 BY repealing and reenacting, without amendments,

10 Article – Business Regulation

11 Section 5–101(a), (f) through (i), and (s)

12 Annotated Code of Maryland

13 (2024 Replacement Volume and 2025 Supplement)

14 BY repealing

15 Article – Business Regulation

16 Section 5–101(t)

17 Annotated Code of Maryland

18 (2024 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Business Regulation

21 Section 5–101(u) through (dd) and 5–804

22 Annotated Code of Maryland

23 (2024 Replacement Volume and 2025 Supplement)

24 BY adding to

25 Article – Business Regulation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 5-7A-01 through 5-7A-05, 5-7A-07, and 5-7A-08 to be under the new
2 subtitle "Subtitle 7A. Pet Cremation and Burial Services"
3 Annotated Code of Maryland
4 (2024 Replacement Volume and 2025 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Commercial Law
7 Section 13-301(14)(xlvii)
8 Annotated Code of Maryland
9 (2025 Replacement Volume)

10 BY repealing and reenacting, without amendments,
11 Article – Commercial Law
12 Section 13-301(14)(xlviii)
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

15 BY adding to
16 Article – Commercial Law
17 Section 13-301(14)(xlix)
18 Annotated Code of Maryland
19 (2025 Replacement Volume)

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

22 **Article – Business Regulation**

23 5-101.

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

25 (f) (1) "Cemetery" means land used or to be used for interment.

26 (2) "Cemetery" includes a structure used or to be used for interment.

27 (g) "Cremation" means the disposition of a dead human body by means of
28 incineration.

29 (h) "Crematory" means a building, portion of a building, or structure that houses
30 the necessary appliances and facilities for cremation or alkaline hydrolysis.

31 (i) "Director" means the Director of the Office of Cemetery Oversight.

32 (s) "Permit" means a permit issued by the Director to allow a partnership, limited
33 liability company, or corporation to operate a business through which a registrant may:

- (1) engage in the operation of a cemetery or crematory; or
- (2) provide burial goods.

[t] (1) "Pet remains" means the body of a deceased animal that was kept as a

7 [u] (T) (1) "Preneed goods" means burial goods that are sold before the
8 buyer's death.

9 (2) "Preneed goods" does not include burial space.

10 [v] (U) “Provide burial goods” means a retail transaction:

11 (1) to erect, service, or inscribe burial memorials; or

12 (2) to sell burial goods.

13 [(w)] (v) “Reduction facility” means a building, portion of a building, or structure
14 that houses the necessary appliances, containers, and facilities for performing natural
15 organic reduction.

16 **[(x)] (W)** “Registered cemeterian” means an individual registered to operate a
17 cemetery as a sole proprietor or on behalf of a sole proprietor or of a permit holder.

[y] (x) "Registered crematory operator" means an individual registered to operate a crematory as a sole proprietor or on behalf of a sole proprietor or permit holder.

20 [z] (Y) "Registered reduction operator" means an individual registered to
21 operate a reduction facility as a sole proprietor or on behalf of a sole proprietor or a permit
22 holder.

23 [(aa)] (Z) “Registered seller” means an individual registered to provide burial
24 goods as a sole proprietor or on behalf of a sole proprietor or of a permit holder.

25 **[(bb)] (AA)** “Registration” means a registration issued by the Director authorizing
26 an individual to operate a cemetery, to operate a crematory, to operate a reduction facility,
27 or to provide burial goods.

28 **[(cc)] (BB)** “Responsible party” means a sole proprietor or the individual
29 designated by a partnership, limited liability company, or corporation to be responsible for
30 the operations of a cemetery, crematory, reduction facility, or burial goods business.

1 [(dd)] (CC) “Soil remains” means the soil produced at final disposition of a dead
2 human body at a reduction facility by completion of natural organic reduction.

3 **SUBTITLE 7A. PET CREMATION AND BURIAL SERVICES.**

4 **5-7A-01.**

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (B) “PET” MEANS A DOMESTICATED OR TAMED ANIMAL KEPT AS A
8 COMPANION OR FOR PLEASURE.

9 (C) “PET CREMAINS” MEANS THE BODY FRAGMENTS OF A PET AFTER
10 HAVING BEEN CREMATED.

11 (D) (1) “PET REMAINS” MEANS THE BODY OF A DECEASED ANIMAL THAT
12 WAS KEPT AS A PET.

13 (2) “PET REMAINS” INCLUDES THE BODY OF A PET OR A PART OF A
14 PET’S BODY IN ANY STATE OF DECOMPOSITION OR THE PET CREMAINS.

15 **5-7A-02.**

16 THIS SUBTITLE APPLIES ONLY TO A REGISTERED CEMETERIAN, REGISTERED
17 CEMETERY OPERATOR, OR PERMIT HOLDER THAT ENGAGES IN THE OPERATION OF
18 A CEMETERY, CREMATORY, OR BURIAL GOODS BUSINESS THAT SELLS OR OFFERS TO
19 SELL TO THE PUBLIC CREMATION SERVICES FOR PET REMAINS OR A BURIAL LOT OR
20 A BURIAL RIGHT IN A CEMETERY FOR PET REMAINS.

21 **5-7A-03.**

22 (A) EACH REGISTRANT OR PERMIT HOLDER SHALL DISTRIBUTE A WRITTEN
23 DESCRIPTION OF AVAILABLE PET CREMATION SERVICES TO THE FOLLOWING
24 PERSONS:

25 (1) EACH OWNER OF A DECEASED PET OR THE AGENT OF AN OWNER
26 OF A DECEASED PET WHO ARRANGES FOR PET CREMATION SERVICES;

27 (2) EACH VETERINARIAN, PET SHOP, FUNERAL DIRECTOR, OR OTHER
28 PERSON WHO REFERS PET OWNERS OR DELIVERS DECEASED PETS TO THE
29 REGISTRANT OR PERMIT HOLDER MORE THAN FIVE TIMES IN A CALENDAR YEAR;

(3) THE DEPARTMENT OF AGRICULTURE; AND

(4) ON REQUEST, ANY OTHER PERSON.

8 (I) PRIVATE CREMATION MEANS THE CREMATION OF A SINGLE
9 PET IN A CLEAN, EMPTY CHAMBER, AFTER WHICH THE PET CREMAINS ARE
10 RETURNED EXCLUSIVELY TO THE OWNER OF THE PET;

15 (III) COMMUNAL CREMATION MEANS THE CREMATION OF
16 MULTIPLE PETS SIMULTANEOUSLY IN A SINGLE CHAMBER WITHOUT SEPARATION
17 AND WITHOUT THE RETURN OF PET CREMAINS TO AN OWNER.

21 (I) FAIL TO INCLUDE A COMPLETE AND ACCURATE
22 EXPLANATION OF EACH PET CREMATION SERVICE:

23 (ii) OMIT A REQUIRED DISCLOSURE UNDER THIS SECTION; OR

24 (III) INCLUDE TEXT, ILLUSTRATIONS, A LAYOUT, OR
25 FORMATTING THAT CAUSES CONFUSION ABOUT THE NATURE OF THE PET
26 CREMATION SERVICE OR OBSTRUCTS ACCURATE DISCLOSURE.

30 (I) AVAILABLE IN QUANTITIES SUFFICIENT TO ALLOW FOR THE
31 DISTRIBUTION TO PET OWNERS WHO MAY BE REFERRED TO OR SERVED BY THE
32 REGISTRANT OR PERMIT HOLDER; AND

(II) AVAILABLE AT NO COST.

2 (C) A VETERINARIAN, PET SHOP, REGISTRANT, PERMIT HOLDER, OR ANY
3 OTHER PERSON WHO REFERS PET OWNERS OR ACCEPTS DECEASED PETS FOR
4 CREMATION MORE THAN FIVE TIMES IN A CALENDAR YEAR SHALL PROVIDE A COPY
5 OF THE DESCRIPTION OF PET CREMATION SERVICES DESCRIBED UNDER
6 SUBSECTION (A) OF THIS SECTION TO THE PET OWNER AT THE TIME OF REFERRAL
7 OR ACCEPTANCE OF THE DECEASED PET.

8 5-7A-04.

9 (A) IF PET CREMATION SERVICES PROVIDED BY A REGISTRANT OR PERMIT
10 HOLDER INCLUDE THE RETURN OF PET CREMAINS, THE REGISTRANT OR PERMIT
11 HOLDER SHALL PROVIDE A WRITTEN CERTIFICATE WITH THE RETURNED PET
12 CREMAINS THAT INCLUDES:

(1) THE DATE THE CREMATION WAS COMPLETED;

19 (3) A STATEMENT THAT THE CREMATION WAS CONDUCTED IN
20 ACCORDANCE WITH PREVAILING INDUSTRY STANDARDS AND BEST PRACTICES AND
21 IN COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS; AND

(B) A VETERINARIAN, PET SHOP, OR OTHER PERSON RESPONSIBLE FOR RETURNING PET CREMAINS TO A PET OWNER SHALL PROVIDE TO THE PET OWNER:

30 (1) A COPY OF THE CERTIFICATE PROVIDED BY THE REGISTRANT OR
31 PERMIT HOLDER UNDER SUBSECTION (A) OF THIS SECTION: AND

4 (I) ARE THOSE OF THE PET OWNER'S DECEASED PET; AND

5 (II) HAVE BEEN RETURNED IN ACCORDANCE WITH THE
6 REGISTRANT'S OR PERMIT HOLDER'S REPRESENTATIONS TO THE PET OWNER.

7 **(C) A VETERINARIAN, PET SHOP, OR OTHER PERSON RESPONSIBLE FOR**
8 **RETURNING PET CREMAINS TO A PET OWNER:**

13 (2) IS NOT REQUIRED TO OBSERVE THE CREMATION PROCESS.

14 5-7A-05.

15 (A) EACH REGISTRANT OR PERMIT HOLDER PROVIDING PET CREMATION
16 SERVICES SHALL POST A COPY OF THIS SUBTITLE AND A WRITTEN DESCRIPTION OF
17 THE PET CREMATION SERVICES BEING OFFERED IN A CONSPICUOUS PLACE IN THE
18 PLACE OF BUSINESS.

19 (B) EACH REGISTRANT OR PERMIT HOLDER THAT PROVIDES PET
20 CREMATION SERVICES SHALL ENSURE THAT A HOLDING FACILITY USED TO RETAIN
21 PET REMAINS BEFORE CREMATION:

22 (1) PROTECTS THE HEALTH OF ALL INDIVIDUALS RESPONSIBLE FOR
23 HANDLING PET REMAINS;

(2) PRESERVES THE DIGNITY OF THE PET REMAINS; AND

(3) COMPLIES WITH APPLICABLE FEDERAL AND STATE LAWS.

26 (C) (1) EACH REGISTRANT OR PERMIT HOLDER THAT PROVIDES PET
27 CREMATION SERVICES SHALL MAINTAIN COMPLETE AND ACCURATE RECORDS FOR
28 EACH PET CREMATION COMPLETED.

5 (III) A LOGBOOK FOR EACH PET CREMATION COMPLETED THAT
6 SPECIES:

2. THE METHOD OF CREMATION, AND

3. THE NAME OF THE INDIVIDUAL WHO PERFORMED THE

10 CREMATION.

15 [5-804.] 5-7A-06.

16 (a) In this section, “perpetual care” has the meaning stated in § 5–601 of this title.

17 (b) A registered cemeterian, registered crematory operator, or permit holder that
18 engages in the operation of a cemetery, crematory, or burial goods business who sells or
19 offers to sell to the public cremation services, a burial lot, or a burial right in a cemetery
20 for pet remains as to which perpetual care is stated or implied owes a duty of perpetual
21 care for the cemetery in which the pet remains are interred.

22 (c) The Director shall adopt regulations in accordance with § 5–204(a) of this title
23 to enforce the requirements of this section.

24 5-7A-07.

25 (A) A PERSON WHO VIOLATES THIS SUBTITLE IS GUILTY OF A
26 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO:

(1) FOR A FIRST VIOLATION, A FINE NOT EXCEEDING \$5,000 OR
IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH;

(2) FOR A SECOND VIOLATION, A FINE NOT EXCEEDING \$10,000 OR
IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH; AND

3 (3) FOR A THIRD OR SUBSEQUENT VIOLATION, A FINE NOT
4 EXCEEDING \$15,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

5 **(B) (1) IF THE DIRECTOR FINDS THAT A PERSON HAS VIOLATED THIS**
6 **SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE, THE DIRECTOR MAY**
7 **REFER THE MATTER TO:**

(i) THE ATTORNEY GENERAL FOR CIVIL ENFORCEMENT; OR

9 (II) THE APPROPRIATE STATE'S ATTORNEY FOR CRIMINAL
10 PROSECUTION.

11 (2) THE ATTORNEY GENERAL MAY SUE FOR AND A COURT MAY
12 GRANT:

13 (I) INJUNCTIVE OR OTHER EQUITABLE RELIEF;

16 (III) BOTH.

17 5-7A-08.

18 **THIS SUBTITLE MAY BE CITED AS THE “MARYLAND PET CREMATION AND**
19 **BURIAL SERVICES CONSUMER PROTECTION ACT”.**

Article – Commercial Law

21 13-301.

22 Unfair, abusive, or deceptive trade practices include any:

23 (14) Violation of a provision of:

24 (xlvii) Title 14, Subtitle 50 of this article; [or]

25 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

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