

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.



Section 5–7A–01 through 5–7A–05, 5–7A–07, and 5–7A–08 to be under the new subtitle “Subtitle 7A. Pet Cremation and Burial Services” Annotated Code of Maryland (2024 Replacement Volume and 2025 Supplement)

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

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

BY adding to Article – Commercial Law Section 13–301(14)(xlix) Annotated Code of Maryland (2025 Replacement Volume)

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

Article – Business Regulation

5–101.

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

(f) (1) “Cemetery” means land used or to be used for interment.

(2) “Cemetery” includes a structure used or to be used for interment.

(g) “Cremation” means the disposition of a dead human body by means of incineration.

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

(i) “Director” means the Director of the Office of Cemetery Oversight.

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

1 (1) engage in the operation of a cemetery or crematory; or

2 (2) provide burial goods.

3 [(t) (1) “Pet remains” means the body of a deceased animal that was kept as a
4 pet.

5 (2) “Pet remains” includes the body of a pet or a part of a pet’s body in any
6 state of decomposition or the body of a pet after having been cremated.]

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.

18 [(y) (X) “Registered crematory operator” means an individual registered to
19 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;

1 **(3) THE DEPARTMENT OF AGRICULTURE; AND**

2 **(4) ON REQUEST, ANY OTHER PERSON.**

3 **(B) (1) THE DESCRIPTION OF PET CREMATION SERVICES REQUIRED**
4 **UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE A DETAILED AND CLEAR**
5 **EXPLANATION OF EACH PET CREMATION SERVICE OFFERED BY THE REGISTRANT OR**
6 **PERMIT HOLDER, INCLUDING THE FOLLOWING DESCRIPTIONS OF CREMATION**
7 **SERVICES, IF OFFERED:**

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;**

11 **(II) INDIVIDUAL-PARTITIONED CREMATION MEANS THE**
12 **CREMATION OF MULTIPLE PETS IN THE SAME CHAMBER USING PHYSICAL BARRIERS**
13 **OR DESIGNATED SPACES TO MAINTAIN SEPARATION, AFTER WHICH THE PET**
14 **CREMAINS ARE RETURNED TO EACH OWNER; AND**

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.**

18 **(2) IN THE DESCRIPTION OF PET CREMATION SERVICES REQUIRED**
19 **UNDER SUBSECTION (A) OF THIS SECTION, A REGISTRANT OR PERMIT HOLDER MAY**
20 **NOT:**

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.**

27 **(3) EACH REGISTRANT OR PERMIT HOLDER SHALL MAKE WRITTEN**
28 **COPIES OF THE DESCRIPTION OF PET CREMATION SERVICES UNDER SUBSECTION**
29 **(A) OF THIS SECTION:**

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.

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

5-7A-04.

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

(1) THE DATE THE CREMATION WAS COMPLETED;

(2) A STATEMENT THAT, TO THE BEST OF THE REGISTRANT'S OR PERMIT HOLDER'S KNOWLEDGE AND BELIEF, THE CREMATION AND RELATED SERVICES WERE PERFORMED IN ACCORDANCE WITH THE REGISTRANT'S OR PERMIT HOLDER'S WRITTEN DESCRIPTION OF SERVICES UNLESS OTHERWISE INDICATED ON THE CERTIFICATE;

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

(4) THE FOLLOWING STATEMENT: "THE POSTED DISCLOSURE OF PET CREMATION AND BURIAL SERVICES RIGHTS AND RESPONSIBILITIES IS A SUMMARY OF MARYLAND LAW. THE FULL PROVISIONS OF THE LAW ARE SET FORTH IN THE PET CREMATION AND BURIAL SERVICES CONSUMER PROTECTION ACT IN TITLE 5, SUBTITLE 7A OF THE BUSINESS REGULATION ARTICLE OF THE MARYLAND ANNOTATED CODE."

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

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

1 **(2) AN ADDITIONAL CERTIFICATE THAT STATES, TO THE BEST OF THE**
2 **PERSON'S KNOWLEDGE AND BELIEF, AND EXCEPT AS OTHERWISE INDICATED ON**
3 **THE CERTIFICATE, THE RETURNED PET CREMAINS:**

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:**

9 **(1) MAY RELY IN GOOD FAITH ON THE CERTIFICATE PROVIDED AND**
10 **REPRESENTATIONS MADE BY A REGISTRANT OR PERMIT HOLDER PROVIDING PET**
11 **CREMATION SERVICES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS**
12 **SECTION; AND**

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;**

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

25 **(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.**

29 **(2) EACH REGISTRANT AND PERMIT HOLDER SHALL RETAIN THE**
30 **FOLLOWING RECORDS FOR A PERIOD OF AT LEAST 5 YEARS:**

(I) EACH AUTHORIZATION FOR PET CREMATION SIGNED BY THE PET OWNER OR PET OWNER'S AGENT;

(II) EACH IDENTIFICATION RECORD, INCLUDING TAGS, LABELS, OR TRACKING DOCUMENTATION USED TO IDENTIFY PET CREMAINS; AND

(III) A LOGBOOK FOR EACH PET CREMATION COMPLETED THAT SPECIFIES:

1. THE DATE OF CREMATION;

2. THE METHOD OF CREMATION, AND

3. THE NAME OF THE INDIVIDUAL WHO PERFORMED THE CREMATION.

(3) EACH REGISTRANT OR PERMIT HOLDER SHALL ESTABLISH AND MAINTAIN REASONABLE PROCEDURES TO ENSURE THE CONFIDENTIALITY AND SECURITY OF ALL RECORDS, INCLUDING PERSONALLY IDENTIFYING INFORMATION RELATED TO A PET OWNER OR CREMATED PET.

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

(a) In this section, "perpetual care" has the meaning stated in § 5-601 of this title.

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

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

5-7A-07.

(A) A PERSON WHO VIOLATES THIS SUBTITLE IS GUILTY OF A 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) FOR A THIRD OR SUBSEQUENT VIOLATION, A FINE NOT EXCEEDING \$15,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

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

(I) THE ATTORNEY GENERAL FOR CIVIL ENFORCEMENT; OR

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

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

(I) INJUNCTIVE OR OTHER EQUITABLE RELIEF;

(II) IMPOSITION OF A CIVIL PENALTY NOT EXCEEDING \$5,000; OR

(III) BOTH.

5-7A-08.

THIS SUBTITLE MAY BE CITED AS THE "MARYLAND PET CREMATION AND BURIAL SERVICES CONSUMER PROTECTION ACT".

Article – Commercial Law

13-301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

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

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

(XLIX) TITLE 5, SUBTITLE 7A OF THE BUSINESS REGULATION ARTICLE; OR

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