

SENATE BILL 46

P1, C2, J2

6lr0727

(PRE-FILED)

By: Senator Simonaire

Requested: August 22, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland (2021 Replacement Volume and 2025 Supplement)

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

Article – Business Regulation

6 5-101.

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

(p) "Interment" means all final disposition of human remains or pet remains, including:

(1) earth burial;

(2) mausoleum entombment; and

(3) niche or columbarium [interment] INURNMENT.

13 5-803.

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

(2) "Eligible dependent" means a veteran's spouse, a veteran's unmarried child under the age of 21 years, or a veteran's unmarried adult child who before the age of 21 became permanently incapable of self-support because of physical or mental disability.

(ii) "Identifying information" includes name, service number, Social Security number, date of birth, date of death, place of birth, and copy of the death certificate.

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

28 (b) (1) If a licensed funeral establishment or a crematory is in possession of
29 cremated human remains or hydrolyzed remains that have been unclaimed for 90 days or
30 more, the licensed funeral establishment or holder of the permit for the business of
31 operating a crematory shall provide identifying information of the unclaimed cremains or
32 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.

(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

25 B. A reduction facility reasonably concludes based on the
26 identifying information or other evidence that a decedent does not qualify for disposition
27 benefits associated with veteran status.

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.

20 (i) Notify the Department of Veterans and Military Families of the
21 status of the cremains or hydrolyzed remains for the purpose of the appropriate disposition
22 of the cremains or hydrolyzed remains; and

(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.

21 (4) "Veterans benefits services" means any services a veteran or a family
22 member of a veteran might reasonably use in order to obtain federal, state, or local veterans
23 benefits.

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.

6 (h) (1) In [a plot] AN INTERMENT LOCATION that is allotted to a veteran or
7 a qualified reserve member, the Department shall [bury] INTER:

8 (i) the veteran or qualified reserve member; and

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.