

# SENATE BILL 46

P1, C2, J2

(PRE-FILED)

6lr0727  
CF HB 364

---

By: **Senator Simonaire**

Requested: August 22, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

---

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 8, 2026

---

## CHAPTER \_\_\_\_\_

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

---

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

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2021 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – State Government  
5 Section 9–901, 9–905.1, 9–906(a) and (e) through (i), and 9–907  
6 Annotated Code of Maryland  
7 (2021 Replacement Volume and 2025 Supplement)

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

10 **Article – Business Regulation**

11 5–101.

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

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

15 (1) earth burial;

16 (2) mausoleum entombment; and

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

18 5–803.

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

20 (2) “Eligible dependent” means a veteran’s spouse, a veteran’s unmarried  
21 child under the age of 21 years, or a veteran’s unmarried adult child who before the age of  
22 21 became permanently incapable of self-support because of physical or mental disability.

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

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

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

1 (b) (1) If a licensed funeral establishment or a crematory is in possession of  
2 cremated human remains or hydrolyzed remains that have been unclaimed for 90 days or  
3 more, the licensed funeral establishment or holder of the permit for the business of  
4 operating a crematory shall provide identifying information of the unclaimed cremains or  
5 hydrolyzed remains to a veterans service organization in order for the veterans service  
6 organization to determine if the unclaimed cremains or hydrolyzed remains are those of a  
7 veteran or an eligible dependent.

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

9 1. an authorizing agent directs otherwise; or

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

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

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

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

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

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

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

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

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

1 (f) If a veterans service organization does not take possession of unclaimed  
2 cremains or hydrolyzed remains that qualify for [a plot] **AN INTERMENT LOCATION** in a  
3 State veterans cemetery under § 9–906 of the State Government Article, within 10 days  
4 after the licensed funeral establishment or permit holder receives the notification required  
5 under subsection (c) of this section, the licensed funeral establishment or permit holder  
6 shall:

7 (1) notify the Department of Veterans and Military Families of the status  
8 of the cremains or hydrolyzed remains for the purpose of the appropriate disposition of the  
9 cremains or hydrolyzed remains; and

10 (2) transfer the cremains or hydrolyzed remains to the Department of  
11 Veterans and Military Families for the purpose of the appropriate disposition of the  
12 cremains or hydrolyzed remains.

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

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

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

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

## 25 **Article – Health Occupations**

26 7–406.

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

32 (b) (1) (i) In this subsection the following words have the meanings  
33 indicated.

34 (ii) “Eligible dependent” means a veteran’s spouse, a veteran’s  
35 unmarried child under the age of 21 years, or a veteran’s unmarried adult child who before

1 the age of 21 became permanently incapable of self-support because of physical or mental  
2 disability.

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

6 2. "Identifying information" includes name, service number,  
7 Social Security number, date of birth, date of death, place of birth, and copy of the death  
8 certificate.

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

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

13 [(v)] (vi) "Veterans service organization" means an association or  
14 other entity organized for the benefit of veterans that has been recognized by the U.S.  
15 Department of Veterans Affairs or chartered by Congress and any employee or  
16 representative of the association or entity.

17 (2) (i) If a licensed funeral establishment or a crematory is in  
18 possession of cremated human remains or hydrolyzed remains that have been unclaimed  
19 for 90 days or more, the licensed funeral establishment or holder of the permit for the  
20 business of operating a crematory shall provide identifying information of the unclaimed  
21 cremains or hydrolyzed remains to a veterans service organization in order for the veterans  
22 service organization to determine if the unclaimed cremains or hydrolyzed remains are  
23 those of a veteran or an eligible dependent.

24 (ii) 1. Subsubparagraph 2 of this subparagraph does not apply  
25 if:

26 A. An authorizing agent directs otherwise; or

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

30 2. A reduction facility in possession of human remains that  
31 are being processed by natural organic reduction shall provide identifying information to a  
32 veterans service organization within 5 business days after natural organic reduction is  
33 initiated to determine if the soil remains are those of a veteran or an eligible dependent.

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

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

3 (ii) If so, whether the veteran or eligible dependent is eligible for  
4 [burial] **INTERMENT** in a veterans cemetery.

5 (4) If the unclaimed cremains or hydrolyzed remains are those of a veteran  
6 or an eligible dependent, the licensed funeral establishment or permit holder may transfer  
7 the cremains or hydrolyzed remains to a veterans service organization for the purpose of  
8 the appropriate disposition of the cremains or hydrolyzed remains.

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

11 (i) Transfer a portion of the soil remains not exceeding 300 cubic  
12 inches in volume to a veterans service organization that grants permission for the purpose  
13 of disposition; and

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

16 (6) If a veterans service organization does not take possession of unclaimed  
17 cremains or hydrolyzed remains that qualify for [a plot] **AN INTERMENT LOCATION** in a  
18 State veterans' cemetery under § 9–906 of the State Government Article within 10 days  
19 after the licensed funeral establishment or permit holder receives the notification required  
20 under paragraph (3) of this subsection, the licensed funeral establishment or permit holder  
21 shall:

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

25 (ii) Transfer the cremains or hydrolyzed remains to the Department  
26 of Veterans and Military Families for the purpose of the appropriate disposition of the  
27 cremains or hydrolyzed remains.

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

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

1 (ii) Transfer the portion of soil remains to the Department of  
 2 Veterans and Military Families for the purpose of the appropriate disposition of the portion  
 3 of the soil remains; and

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

## 7 Article – State Government

8 9–901.

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

10 (b) “Active duty” has the meaning stated in 37 U.S.C. § 101.

11 (c) “Active service member” means an individual who is:

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

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

15 (d) “Armed forces” has the meaning stated in 10 U.S.C. § 101.

16 (e) “Board” means the Board of Trustees of the Maryland Veterans Trust.

17 (f) “Department” means the Department of Veterans and Military Families.

18 **(G) “INTERMENT” MEANS ALL FINAL DISPOSITION OF HUMAN REMAINS,**  
 19 **INCLUDING:**

20 **(1) EARTH BURIAL; AND**

21 **(2) NICHE OR COLUMBARIUM INURNMENT.**

22 **(H) “INTERMENT LOCATION” MEANS A GRAVE PLOT OR NICHE IN A**  
 23 **COLUMBARIUM.**

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

26 **[(h)] (J)** “Reserve component” has the meaning stated in 37 U.S.C. § 101.

27 **[(i)] (K)** “Secretary” means the Secretary of Veterans and Military Families.

1            [(j)] (L)        “Service member” means an individual who is a member of:

2                    (1)        the uniformed services; or

3                    (2)        a reserve component of the uniformed services.

4            [(k)] (M)        “Trust” means the Maryland Veterans Trust.

5            [(l)] (N)        “Uniformed services” has the meaning stated in 37 U.S.C. § 101.

6            [(m)] (O)        Except as otherwise provided in this subtitle, “veteran” has the  
7 meaning stated in 38 U.S.C. § 101.

8 9–905.1.

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

10                    (2)        “Advertisement” means:

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

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

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

18                    (3)        “Veterans benefits appeals services” means any services that a veteran  
19 might reasonably require in order to appeal a denial of federal, state, or local veterans  
20 benefits, including denials of disability, limited income, home loan, insurance, education  
21 and training, health care, [burial] INTERMENT and memorial, and dependent and survivor  
22 benefits.

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

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

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

30                            (ii)      obtain the individual’s signature on the written disclosure  
31 statement acknowledging that the individual understands the disclosure statement.

1 (2) The written disclosure statement shall:

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

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

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

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

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

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

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

17 9–906.

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

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

22 (3) In this section and in § 9–907 of this subtitle, “eligible decedent” means:

23 (i) a veteran;

24 (ii) a qualified reserve member; or

25 (iii) an eligible spouse or dependent.

26 (4) “Eligible dependent” means:

27 (i) a child who meets the requirements stated in 38 C.F.R. §  
28 38.620(e);

1 (ii) a parent who meets the requirements stated in 38 C.F.R. §  
2 38.620(i); or

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

5 (5) “Eligible spouse” means:

6 (i) a spouse who meets the requirements stated in 38 C.F.R. §  
7 38.620(e); or

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

9 (6) “Qualified reserve member” means a reserve component member who  
10 does not meet the requirements for [burial] **INTERMENT** at a national veterans’ cemetery  
11 but served other than dishonorably and completed the individual’s contractual obligation  
12 of service.

13 (7) “State veterans’ cemetery” means a cemetery that the Department  
14 establishes under this section.

15 (8) “Washington Cemetery” means the Civil War cemetery grounds  
16 authorized by Chapter 213 of the Acts of the General Assembly of 1870.

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

20 (f) To qualify for [a plot] **AN INTERMENT LOCATION** in a State veterans’  
21 cemetery:

22 (1) the eligible decedent must be:

23 (i) a veteran who meets the requirements for [burial] **INTERMENT**  
24 at a national veterans’ cemetery;

25 (ii) a qualified reserve member; or

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

28 (2) if a qualified reserve member, the qualified reserve member must also  
29 have been a resident of the State:

30 (i) when the qualified reserve member entered the reserve  
31 component;

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

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

4 (g) To obtain [a plot] **AN INTERMENT LOCATION** in a State veterans' cemetery,  
5 an applicant shall submit to the Department an application on the form that the  
6 Department provides.

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

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

10 (ii) any member of the immediate family who is an eligible spouse or  
11 dependent if the family member can be [buried] **INTERRED** in a space above or below the  
12 veteran or qualified reserve member or in the next available [plot] **INTERMENT**  
13 **LOCATION**.

14 (2) With each [plot] **INTERMENT LOCATION**, the Department shall  
15 provide [a grave liner] **AN OUTER BURIAL RECEPTACLE OR COLUMBARIUM NICHE AND**  
16 **MARKER** at no cost for the veteran or the veteran's eligible spouse or dependent.

17 (i) (1) Except as provided in paragraph (2) of this subsection, the Department  
18 may not charge a veteran or a veteran's eligible spouse or dependent for [burial]  
19 **INTERMENT**.

20 (2) If the individual being [buried] **INTERRED** is a qualified reserve  
21 member or a qualified reserve member's eligible spouse or dependent, the Department shall  
22 collect at the time of [burial] **INTERMENT** a fee that is equal to the annual [plot]  
23 **INTERMENT LOCATION** allowance established by the National Cemetery Administration.

24 9-907.

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

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