



House Bill 1374

Environment - Crematory - Setback Requirements and Permits

MACo Position:

To: Environment & Transportation Committee

LETTER OF INFORMATION

Date: March 6, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) submits the following **LETTER OF INFORMATION** regarding HB 1374. This bill establishes a required 1000-foot buffer between certain types of properties and a crematory.

One of the core functions of county governments is the ability to shape the look, smell, and feel of the communities within its jurisdiction. Counties have been granted this authority largely based on the philosophy that they are the closest level of government to the people, and the people who reside in a community should largely be making these decisions. However, there are certain instances where state or federal policy may cross over into the land use sphere, primarily for health and safety reasons. It is the understanding of counties that HB 1374 is intended for just that purpose.

MACo would like to highlight some caution on the potential impact of HB 1374 and suggest clarifying language which would satisfy county leaders' concerns. As drafted, there is a concern that this bill may be interpreted to include existing crematories as well as those developed in the future. In especially rural communities, crematories serve a vital purpose and are greatly limited in number. If state policy were to inadvertently shutter the operations of this critical infrastructure, including current providers, the impact could be unmanageable.

Suggested clarifying language:

On page 2, in line 1, insert before "A", "**AFTER JUNE 1, 2024,**"

On page 2, in line 10, after "ISSUE" insert "**BUT MAY RENEW,**".

With these amendments, HB 1374 strikes a balance between the current constraints of critical infrastructure and a need to protect public health. MACo and its member counties stand ready to help the Committee with any further clarifying language that may help define its scope.