

**HB1060/353522/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1060

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Woods**” and substitute “**Woods, Bagnall, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kerr, R. Lewis, Lopez, Martinez, Pena-Melnyk, Rosenberg, Taveras, and White**”; strike beginning with “regulating” in line 3 down through “reduction” in line 7 and substitute “authorizing the Director of the Office of Cemetery Oversight and the State Board of Morticians and Funeral Directors to adopt regulations establishing a process for regulating crematories that utilize natural organic reduction”; in line 10, after “5-101(a)” insert “and (f)”; in line 15, strike “, 5-102(b),”; in line 25, strike “and” and substitute a comma; and in the same line, after “5-508” insert “, and 5-513(a)”.

On page 2, in line 3, strike “and” and substitute a comma; in the same line, after “(d)” insert “, and (i)”; in line 8, strike “, 7-102(b),”; and in line 13, strike “and 7-205(d)”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

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

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 11 on page 3, inclusive.

On page 3, strike beginning with “**THIS**” in line 18 down through “**(II)**” in line 21.

On page 4, after line 7, insert:

“(II) 1. IN CONJUNCTION WITH THE STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS, THE DIRECTOR MAY ADOPT REGULATIONS ESTABLISHING A PROCESS FOR REGULATING CREMATORIES THAT USE NATURAL ORGANIC REDUCTION.

2. REGULATIONS FOR CREMATORIES THAT USE NATURAL ORGANIC REDUCTION MAY INCLUDE:

A. ADDITIONAL OR DIFFERENT REGISTRATION REQUIREMENTS FOR CREMATORY OPERATORS THAT PERFORM NATURAL ORGANIC REDUCTION;

B. ADDITIONAL OR DIFFERENT REQUIREMENTS REGARDING THE ISSUANCE OF PERMITS OR PERMIT ENDORSEMENTS FOR OPERATING CREMATORIES THAT PERFORM NATURAL ORGANIC REDUCTION;

C. ANY OPERATING REQUIREMENTS DETERMINED NECESSARY FOR CREMATORIES THAT PERFORM NATURAL ORGANIC REDUCTION, INCLUDING MINIMUM TRAINING REQUIREMENTS FOR INDIVIDUALS WHO ARE RESPONSIBLE FOR OPERATING A CREMATORY OR WHO WILL PERFORM OR SUPERVISE CREMATIONS THAT USE NATURAL ORGANIC REDUCTION;

D. ALTERNATIVE METHODS FOR THE FINAL PLACEMENT OF SOIL PRODUCED AFTER THE COMPLETION OF NATURAL ORGANIC REDUCTION, INCLUDING FOR IF THE SOIL PRODUCED IS UNCLAIMED AFTER REASONABLE NOTICE IS GIVEN TO THE NEXT OF KIN OF THE DECEASED OR OTHER PERSON WHO AUTHORIZED THE CREMATION; AND

E. OTHER REASONABLE REQUIREMENTS FOR INSPECTION, SOIL TESTING, AND OVERSIGHT AS DETERMINED NECESSARY WITHIN THE DIRECTOR'S DISCRETION.

3. IF THE STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS ADOPTS REGULATIONS UNDER § 7-205(C)(2) OF THE HEALTH OCCUPATIONS ARTICLE, REGULATIONS ADOPTED UNDER THIS SUBPARAGRAPH SHALL BE IDENTICAL TO THE REGULATIONS ADOPTED BY THE STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS.”;

in line 15, after “during” insert “A”; and in lines 15 and 16, strike “AS DEFINED IN § 5-508(C)(1) OF THIS SUBTITLE” and substitute “THAT USES AN INCINERATION PROCESS”.

On page 5, in line 2, strike “is” and substitute “MEANS”; in the same line, strike “in which cremations are performed” and substitute “, PORTION OF A BUILDING, OR STRUCTURE THAT HOUSES THE NECESSARY APPLIANCES AND FACILITIES FOR CREMATION”; after line 10, insert:

“5-513.

(a) On taking custody of the body of a decedent in accordance with all authorizations required by law, a funeral establishment or crematory shall maintain the body in a manner that provides for complete coverage of the body and prevents leakage or spillage except during:

(1) Identification, embalming, or preparation of an unembalmed body for final disposition;

(2) Restoration and dressing of a body in preparation for final disposition; [and]

(Over)

**(3) FINAL DISPOSITION USING A CREMATION PROCESS THAT DOES NOT INVOLVE INCINERATION; AND**

**[(3)] (4) Viewing during a visitation or funeral service.**”;

and after line 18, insert:

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

On page 6, in lines 2 and 13, in each instance, strike the brackets; strike beginning with “**DISPOSING**” in line 3 down through “**(III)**” in line 5; and strike beginning with “**DISPOSING**” in line 14 down through “**(III)**” in line 16.

On page 7, strike in their entirety lines 5 through 24, inclusive; and strike beginning with “**THIS**” in line 26 down through “**(2)**” in line 29.

On page 8, after line 13, insert:

**“(2) (I) IN CONJUNCTION WITH THE OFFICE OF CEMETERY OVERSIGHT, THE BOARD MAY ADOPT REGULATIONS ESTABLISHING A PROCESS FOR REGULATING CREMATORIES THAT USE NATURAL ORGANIC REDUCTION.**

**(II) REGULATIONS FOR CREMATORIES THAT USE NATURAL ORGANIC REDUCTION MAY INCLUDE:**

**1. ADDITIONAL OR DIFFERENT REGISTRATION OF CREMATORY OPERATORS THAT PERFORM NATURAL ORGANIC REDUCTION;**

2. ADDITIONAL OR DIFFERENT REQUIREMENTS REGARDING THE ISSUANCE OF PERMITS OR PERMIT ENDORSEMENT FOR OPERATING CREMATORIES THAT PERFORM NATURAL ORGANIC REDUCTION;

3. ANY OPERATING REQUIREMENTS DETERMINED NECESSARY FOR CREMATORIES THAT PERFORM NATURAL ORGANIC REDUCTION, INCLUDING MINIMUM TRAINING REQUIREMENTS FOR INDIVIDUALS WHO ARE RESPONSIBLE FOR OPERATING A CREMATORY OR WHO WILL PERFORM OR SUPERVISE CREMATIONS THAT USE NATURAL ORGANIC REDUCTION;

4. ALTERNATIVE METHODS FOR THE FINAL PLACEMENT OF SOIL PRODUCED AFTER THE COMPLETION OF NATURAL ORGANIC REDUCTION, INCLUDING FOR IF THE SOIL PRODUCED IS UNCLAIMED AFTER REASONABLE NOTICE IS GIVEN TO THE NEXT OF KIN OF THE DECEASED OR OTHER PERSON WHO AUTHORIZED THE CREMATION; AND

5. OTHER REASONABLE REQUIREMENTS FOR INSPECTION, SOIL TESTING, AND OVERSIGHT AS DETERMINED NECESSARY WITHIN THE BOARD'S DISCRETION.

(III) IF THE OFFICE OF CEMETERY OVERSIGHT ADOPTS REGULATIONS UNDER § 5-204(A)(2)(II) OF THE BUSINESS REGULATION ARTICLE, REGULATIONS ADOPTED UNDER THIS PARAGRAPH SHALL BE IDENTICAL TO THE REGULATIONS ADOPTED BY THE OFFICE OF CEMETERY OVERSIGHT.”;

and strike in their entirety lines 14 through 16, inclusive.