

Chapter 362

(Senate Bill 57)

AN ACT concerning

Funeral Establishments, Crematories, and Reduction Facilities – Disposition of Unclaimed Remains – Veterans

FOR the purpose of requiring licensed funeral establishments, crematory operators, or reduction facilities to take certain actions if a certain veterans service organization does not take possession of certain unclaimed cremains, hydrolyzed remains, or soil remains that qualify for a plot in a veterans cemetery within a certain period of time; and generally relating to the disposition of unclaimed remains of veterans.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–803

Annotated Code of Maryland

(2024 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–406(b)(2)(i)

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)

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

Article – Business Regulation

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.

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

(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.

(4) “Veteran” has the meaning stated in § 9–901 of the State Government Article.

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

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

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

1. an authorizing agent directs otherwise; or
2. a reduction facility reasonably concludes based on the identifying information or other evidence that a decedent does not qualify for disposition benefits associated with veterans status.

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

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

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

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

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

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

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

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

(F) IF A VETERANS SERVICE ORGANIZATION DOES NOT TAKE POSSESSION OF UNCLAIMED CREMAINS OR HYDROLYZED REMAINS THAT QUALIFY FOR A PLOT IN A STATE VETERANS CEMETERY UNDER § 9-906 OF THE STATE GOVERNMENT ARTICLE, WITHIN 10 DAYS AFTER THE LICENSED FUNERAL ESTABLISHMENT OR PERMIT HOLDER RECEIVES THE NOTIFICATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE LICENSED FUNERAL ESTABLISHMENT OR PERMIT HOLDER SHALL:

(1) NOTIFY THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES OF THE STATUS OF THE CREMAINS OR HYDROLYZED REMAINS FOR THE PURPOSE OF THE APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED REMAINS; AND

(2) TRANSFER THE CREMAINS OR HYDROLYZED REMAINS TO THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES FOR THE PURPOSE OF THE APPROPRIATE DISPOSITION OF THE CREMAINS OR HYDROLYZED REMAINS.

(G) IF A VETERANS SERVICE ORGANIZATION DOES NOT TAKE POSSESSION OF A PORTION OF UNCLAIMED SOIL REMAINS UNDER SUBSECTION (E)(1) OF THIS SECTION THAT QUALIFIES FOR A PLOT IN A STATE VETERANS CEMETERY UNDER § 9-906 OF THE STATE GOVERNMENT ARTICLE, WITHIN 10 DAYS AFTER THE REDUCTION FACILITY RECEIVES THE NOTIFICATION, THE REDUCTION FACILITY SHALL:

(1) NOTIFY THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES OF THE STATUS OF THE SOIL REMAINS FOR THE PURPOSE OF THE APPROPRIATE DISPOSITION OF THE SOIL REMAINS;

(2) TRANSFER THE SOIL REMAINS TO THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES FOR THE PURPOSE OF THE APPROPRIATE DISPOSITION OF THE SOIL REMAINS; AND

(3) 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 – Health Occupations

7–406.

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, May 6, 2025.