

BY: Finance Committee

AMENDMENTS TO SENATE BILL 147
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Kramer, Reilly, and Young”; in line 4, after the first “of” insert “adding an adult grandchild of a certain decedent to the list of persons who have the right to arrange for the final disposition of the body of the decedent;”; in line 11, after “Act,” insert “making conforming changes;”; in lines 13 and 23, in each instance, strike “without” and substitute “with”; in line 15, after “5–509(c)” insert “and (d)”; and in line 25, after “7–410(c)” insert “and (d)”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(5) AN ADULT GRANDCHILD OF THE DECEDENT;”;

in lines 19, 21, and 23, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “**(6)**”, “**(7)**”, and “**(8)**”, respectively; in lines 23 and 27, in each instance, strike “(6)” and substitute “**(7)**”; and after line 28, insert:

“(d) (1) Subject to paragraph (2) of this subsection, if a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, any adult child, parent, or adult brother or sister of the decedent who confirms in writing to a practitioner that all of the other members of the same class have been notified may serve as the authorizing agent for purposes of § 5–502 of this subtitle unless the practitioner receives a written objection to the cremation from another member of that class within 24 hours.

(Over)

(2) If a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, the majority of a class may serve as the authorizing agent.

On page 3, in line 4, strike “3” and substitute “7”; in line 6, strike “4” and substitute “10”; strike in their entirety lines 8 through 10, inclusive; in line 11, strike “(III)” and substitute “(II)”; in line 14, after “DIRECTOR” insert “; OR

(III) IS THE SUBJECT OF AN ACTIVE INTERIM, TEMPORARY, OR FINAL PROTECTIVE ORDER AND THE DECEDENT WAS A PERSON ELIGIBLE FOR RELIEF, AS DEFINED UNDER § 4-501 OF THE FAMILY LAW ARTICLE, UNDER THE ORDER, AND A COPY OF THE ORDER IS PRESENTED TO THE FUNERAL DIRECTOR”;

in line 15, strike “UNLESS FINAL DISPOSITION HAS ALREADY OCCURRED, A” and substitute “A”; and in line 16, strike “(2)(III)” and substitute “(2)(II)”.

On page 4, after line 10, insert:

“(5) AN ADULT GRANDCHILD OF THE DECEDENT”;

in lines 11, 13, and 15, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively; in lines 15 and 19, in each instance, strike “(6)” and substitute “(7)”; after line 20, insert:

“(d) (1) Subject to paragraph (2) of this subsection, if a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, any adult child, parent, or adult brother or sister of the decedent who confirms in writing to a licensee that all of the other members of the same class have been notified may serve as the authorizing agent unless the licensee receives a written objection from another member of that class.

(2) If a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, the majority of a class may serve as the authorizing agent.”;

in line 28, strike “3” and substitute “7”; in line 30, strike “4” and substitute “10”; and strike in their entirety lines 32 through 34, inclusive.

On page 5, in line 1, strike “(III)” and substitute “(II)”; in line 4, after “DIRECTOR” insert “; OR

(III) IS THE SUBJECT OF AN ACTIVE INTERIM, TEMPORARY, OR FINAL PROTECTIVE ORDER AND THE DECEDENT WAS A PERSON ELIGIBLE FOR RELIEF, AS DEFINED UNDER § 4-501 OF THE FAMILY LAW ARTICLE, UNDER THE ORDER, AND A COPY OF THE ORDER IS PRESENTED TO THE FUNERAL DIRECTOR”;

in line 5, strike “UNLESS FINAL DISPOSITION HAS ALREADY OCCURRED, A” and substitute “A”; and in line 6, strike “(2)(III)” and substitute “(2)(II)”.