HB1042/466781/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1042
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 9 down through "license;" in line 12; in line 13, after "Board" insert "<u>, within a certain time period,</u>"; strike beginning with "altering" in line 14 down through "valid;" in line 15 and substitute "<u>requiring the Board to provide for the term of an executor license, rather than specifying the term in a certain provision of law; providing that the term of an executor license may not exceed a certain number of months;</u>"; strike beginning with "and" in line 25 down through "owner" in line 26; and strike beginning with "requiring" in line 30 down through "property;" in line 31 and substitute "<u>requiring a licensed pre-need trustee, within a certain time period, to identify to the Board and the licensed executor certain pre-need bank trust money; requiring the licensed pre-need trustee to make a certain claim against a certain estate; requiring the licensed executor to transfer certain money to the abandoned property office in the Office of the Comptroller;</u>".

AMENDMENT NO. 2

On page 2, in line 32, strike the brackets; and in the same line, strike "**14**".

On page 3, in line 2, after the semicolon insert "<u>**AND**</u>"; in line 4, strike "**(IV)**" and substitute "<u>**(3)**</u>"; in the same line, strike "**THE**" and substitute "<u>**WITHIN 14 DAYS AFTER THE DEATH OF THE LICENSED MORTICIAN, FUNERAL DIRECTOR, OR SURVIVING SPOUSE, SUBMITS TO THE BOARD THE**</u>"; in line 7, strike "(3)" and substitute "<u>**(4)**</u>"; in line 8, after "**(1)**" insert "<u>**(I)**</u>"; in the same line, after "subtitle," insert "<u>**THE BOARD SHALL PROVIDE FOR THE TERM OF AN EXECUTOR LICENSE.**</u>

<u>**(II)**</u>   <u>**THE TERM OF**</u>";

strike beginning with "is" in line 9 down through the bracket in line 10 and substitute "**MAY NOT BE MORE THAN 12 MONTHS**"; in line 12, strike "**PROVIDED**" and substitute "**IF**"; in line 14, after "**IDENTIFIED**" insert "**AND HAS ENTERED INTO A SALES CONTRACT**"; in line 15, strike "**OR**"; and in line 19, after "**ESTABLISHMENT**" insert "**; OR**

        (III)   THE BOARD DETERMINES THAT A RENEWAL IS NEEDED DUE TO UNFORESEEN CIRCUMSTANCES".

        On page 4, in lines 18, 24, and 26, in each instance, after "**OWNER**" insert "**AND SOLE LICENSEE**"; strike in their entirety lines 19 through 23, inclusive; in line 24, strike "**(C)**" and substitute "**(B)**"; in line 28, after "**ESTABLISHMENT;**" insert "**AND**"; and strike in their entirety lines 29 and 30.

        On page 5, in line 1, strike "**(3)**" and substitute "**(2)**"; in line 2, after "**OWNER**" insert "**AND SOLE LICENSEE**"; in line 4, strike "**(D)**" and substitute "**(C)**"; in line 4, strike "**30**" and substitute "**90**"; strike in their entirety lines 14 through 18, inclusive; after line 18, insert:

        "**(D)   (1)   WITHIN 90 DAYS AFTER THE DEATH OF A SINGLE OWNER AND SOLE LICENSEE OF A FUNERAL ESTABLISHMENT, THE PRE-NEED TRUSTEE LICENSED UNDER § 7-308.2 OF THIS SUBTITLE SHALL IDENTIFY TO THE BOARD AND THE EXECUTOR LICENSED UNDER § 7-308.1 OF THIS SUBTITLE ALL PRE-NEED BANK TRUST MONEY THAT HAVE BEEN DEPOSITED UNDER THE FEDERAL IDENTIFICATION NUMBER OF THE FUNERAL ESTABLISHMENT OR THE SOCIAL SECURITY NUMBER OF THE DECEASED SINGLE OWNER AND SOLE LICENSEE, INSTEAD OF THE SOCIAL SECURITY NUMBER OF THE BENEFICIARY OR BUYER OF THE PRE-NEED CONTRACT.**

       (2)   **THE PRE-NEED TRUSTEE LICENSED UNDER § 7-308.2 OF THIS SUBTITLE SHALL MAKE A CLAIM AGAINST THE ESTATE OF THE DECEASED SINGLE OWNER AND SOLE LICENSEE OF THE ESTABLISHMENT WHICH THE LICENSEE PREVIOUSLY OWNED FOR THE MONEY IDENTIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

       (3)   **THE EXECUTOR LICENSED UNDER § 7-308.1 OF THIS SUBTITLE SHALL TRANSFER ALL MONEY IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION TO THE ABANDONED PROPERTY OFFICE IN THE OFFICE OF THE COMPTROLLER IN THE PROPER NAME OF THE BENEFICIARY OR BUYER OF THE PRE-NEED CONTRACT.**";

in line 19, strike "**45**" and substitute "**90**"; in line 27, strike "**60**" and substitute "**90**"; in line 31, strike "**THE DATE OF BIRTH AND DATE OF DEATH OF**" and substitute "**A COPY OF THE FILED DEATH CERTIFICATE FOR**"; and in line 32, after "**DECEDENT;**" insert "**AND**".

     On page 6, strike beginning with the semicolon in line 1 down through "**DECEDENT**" in line 4.