

[(J)] (I) DEFINITIONS. THE FOLLOWING TERMS USED IN THIS SECTION SHALL, FOR THE PURPOSE OF THIS SECTION, HAVE THE FOLLOWING MEANINGS:

(1) "PERSON" INCLUDES ANY INDIVIDUAL, FIRM, PARTNERSHIP, CORPORATION OR OTHER ENTITY OPERATING A CEMETERY AND SELLING INTERMENT RIGHTS THEREIN.

(2) "CEMETERY" MEANS ANY LAND OR STRUCTURE USED OR TO BE USED FOR THE INTERMENT OF HUMAN REMAINS.

(3) "INTERMENTS" MEANS ALL FINAL DISPOSAL OF HUMAN REMAINS, INCLUDING BUT NOT LIMITED TO, EARTH BURIAL, MAUSOLEUM INTERMENT, AND NICHE OR COLUMBARIUM INTERMENT.

(4) "PERPETUAL CARE TRUST FUND" MEANS A FUND CREATED TO PROVIDE A SUFFICIENT INCOME TO A CEMETERY WHICH WILL ENABLE SUCH CEMETERY TO PROVIDE CARE, MAINTENANCE, ADMINISTRATION AND EMBELLISHMENT OF SUCH CEMETERY ADEQUATE TO THE CIRCUMSTANCES. IT EXCLUDES, HOWEVER, THE CARE OF MONUMENTS AND MEMORIALS.

(5) "TRUSTEE" SHALL MEAN ANY NATIONAL BANKING ASSOCIATION; OR ANY BANK AS DEFINED IN SECTION 1 OF ARTICLE 37A OF THIS CODE, AS AMENDED FROM TIME TO TIME; OR SAVINGS BANK AND ANY BUILDING, SAVINGS AND LOAN ASSOCIATION INSURED BY AN AGENCY OF THE FEDERAL GOVERNMENT OR, IF LOCATED IN THE STATE OF MARYLAND, INSURED BY THE MARYLAND SAVINGS-SHARE INSURANCE CORPORATION; OR OTHER ORGANIZATION OR INDIVIDUALS WHO SHALL PROVIDE A FIDELITY BOND FROM ANY RECOGNIZED BONDING INSTITUTION, SAID BOND TO BE IN AN AMOUNT EQUAL TO THE TRUST FUND AND INURING TO THE BENEFIT OF THE TRUST ACCOUNT OF THE CEMETERY AND/OR ITS INDIVIDUAL LOT OWNERS.

(6) "TRUST FUND" MEANS A PERPETUAL CARE FUND, THE GOVERNING PROVISIONS OF WHICH AS A MINIMUM SHALL CONFORM WITH THE PROVISIONS OF THIS SECTION, HELD BY A TRUSTEE PURSUANT TO THE PROVISIONS OF THIS SECTION.

(7) "DEVELOPED LAND AREA" MEANS ANY PARCEL OF LAND IN ANY CEMETERY WHICH IS AVAILABLE FOR INTERMENT, OR ON OR THROUGH WHICH ROADS, PATHS OR BUILDINGS HAVE BEEN LAID OUT OR CONSTRUCTED, OR AS TO WHICH LOTS HAVE BEEN OUTLINED ON ANY PLAT OR RECORD OR SALES BROCHURE.

[(K)] (J) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO CEMETERIES CONTAINING LESS THAN ONE ACRE OF LAND AVAILABLE FOR INTERMENT OR OWNED AND OPERATED BY ANY COUNTY, CITY, OR TOWN; OR BY A CHURCH, SYNAGOGUE OR OTHER RELIGIOUS OR CHURCH ORGANIZATION.

[(L)] (K) ANY PERSON ESTABLISHING, CONDUCTING OR MAINTAINING A PUBLIC OR PRIVATE BURIAL GROUND OR CEMETERY, OR PERMITTING THE SAME TO BE CONDUCTED OR MAINTAINED IN VIOLATION OF ANY OF THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR, AND SHALL