

Approved April 29, 1987.

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CHAPTER 148

(Senate Bill 177)

AN ACT concerning

Consumer Protection - Preneed Burial Contracts

FOR the purpose of authorizing the Secretary of State to adopt rules and regulations for certain purposes; authorizing the Secretary of State to refer violations of certain provisions of law or regulation applicable to preneed burial contracts to the Attorney General or appropriate State's Attorney for enforcement; authorizing the Attorney General to bring an action for injunctive or other equitable relief and the imposition of a civil penalty up to a certain amount; and generally relating to the regulation of preneed burial contracts.

BY adding to

Article 23 - Miscellaneous Companies  
Section 165C  
Annotated Code of Maryland  
(1981 Replacement Volume and 1986 Supplement)

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

Article 23 - Miscellaneous Companies

165C.

(A) THE SECRETARY OF STATE MAY ADOPT RULES AND REGULATIONS FOR THE ADMINISTRATION OF ITS DUTIES UNDER § 165B(D) OF THIS SUBTITLE AND TO ASCERTAIN WHETHER A SELLER OF PRENEED GOODS AND SERVICES IS COMPLYING WITH THAT SECTION OF LAW.

(B) (1) IF THE SECRETARY OF STATE DETERMINES THAT A SELLER OF PRENEED GOODS AND SERVICES HAS VIOLATED § 165B OF THIS SUBTITLE OR RULES AND REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION, THE SECRETARY MAY REFER THE MATTER TO THE ATTORNEY GENERAL FOR CIVIL ENFORCEMENT OR TO THE APPROPRIATE STATE'S ATTORNEY FOR CRIMINAL PROSECUTION.

(2) THE ATTORNEY GENERAL MAY INSTITUTE A CIVIL ACTION FOR: