

~~(J) (1) THE PRIORITY OF PERSONS TO HAVE AUTHORITY TO MAKE ARRANGEMENTS FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT UNDER SUBSECTION (C) OF THIS SECTION IS A REBUTTABLE PRESUMPTION THAT MAY BE RELIED UPON BY A FUNERAL DIRECTOR WHO HAS CUSTODY OF THE BODY.~~

~~(2) A FUNERAL DIRECTOR IS NOT A GUARANTOR THAT THE PERSON MAKING THE ARRANGEMENTS HAS THE LEGAL AUTHORITY TO DO SO.~~

~~(3) A FUNERAL DIRECTOR DOES NOT HAVE THE RESPONSIBILITY TO CONTACT OR TO INDEPENDENTLY INVESTIGATE THE EXISTENCE OF NEXT OF KIN OF A DECEDENT, INCLUDING A SPOUSE, BUT MAY RELY ON INFORMATION PROVIDED BY FAMILY MEMBERS OF THE DECEDENT.~~

~~(K) (1) A PERSON MAY FILE A PETITION WITH THE APPROPRIATE COURT TO HAVE THE AUTHORITY TO MAKE ARRANGEMENTS FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT.~~

~~(1) IF THE PERSON ALLEGES THAT PERMITTING ONE OR MORE OF THE PERSONS WITH PRIORITY UNDER SUBSECTION (C) OF THIS SECTION TO AUTHORIZE ARRANGEMENTS FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT MAY CAUSE A GRAVE INJUSTICE; OR~~

~~(H) THAT, CONSIDERING ALL OF THE CIRCUMSTANCES, A PERSON OTHER THAN A PERSON WITH PRIORITY UNDER SUBSECTION (C) OF THIS SECTION HAD A CLOSER PERSONAL AFFINITY TO THE DECEDENT AND SHOULD BE ALLOWED TO MAKE THE ARRANGEMENTS.~~

~~(2) PENDING THE OUTCOME OF A PETITION FILED UNDER THIS SUBSECTION, A FUNERAL DIRECTOR:~~

~~(1) MAY, BUT IS NOT REQUIRED TO, SUSPEND OR DELAY THE ARRANGEMENTS AUTHORIZED BY THE PERSON WITH PRIORITY; AND~~

~~(H) IS ONLY REQUIRED TO FOLLOW THE EXPLICIT INSTRUCTIONS REGARDING THE FINAL DISPOSITION OF THE BODY OF A DECEDENT WHEN ISSUED BY COURT ORDER AND THE COURT ORDER WAS SERVED ON THE FUNERAL DIRECTOR.~~

~~(L) A FUNERAL DIRECTOR WHO IN GOOD FAITH AND AFTER REASONABLE DILIGENCE ATTEMPTS TO COMPLY WITH THIS SECTION IS NOT CIVILLY OR CRIMINALLY LIABLE FOR THE ARRANGEMENTS PROVIDED.~~

5-502.1.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "AUTHORIZING AGENT" MEANS THE INDIVIDUAL WHO HAS LEGAL AUTHORITY TO ARRANGE FOR AND MAKE DECISIONS REGARDING THE FINAL DISPOSITION OF A DEAD HUMAN BODY BY CREMATION.

(C) "CREMATORY" IS A BUILDING IN WHICH CREMATIONS ARE PERFORMED.