

(D) PROOF OF ACTUAL DAMAGE OR PROOF THAT A PERSON WILL SUSTAIN DAMAGE IF AN INJUNCTION IS NOT GRANTED IS NOT REQUIRED FOR AN ACTION UNDER THIS SECTION.

(E) CRIMINAL PROSECUTION FOR THE UNAUTHORIZED PRACTICE OF MORTUARY SCIENCE UNDER § 7-501 OF THIS TITLE OR DISCIPLINARY ACTION UNDER § 7-316 OF THIS SUBTITLE DOES NOT PROHIBIT AN ACTION TO ENJOIN UNDER THIS SECTION.

7-405.

(G) (4) SELLERS OF PRE-NEED CONTRACTS SHALL HAVE AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OR CERTIFIED PUBLIC ACCOUNTANT FIRM ANNUALLY CERTIFY THE SELLER'S ACCOUNTS.

(2) SELLERS OF PRE-NEED CONTRACTS SHALL SUBMIT TO THE BOARD BY JULY 1 OF EACH YEAR A CERTIFICATE FROM AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT FIRM STATING THE COMPLIANCE OF THE SELLER WITH THE REQUIREMENTS FOR PRE-NEED ACCOUNTS UNDER THIS SECTION.

7-411.

(b) After cremation, a licensee shall ensure that a metal OR PLASTIC identification tag is placed in the cremains container.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 22, 1997.

---

**CHAPTER 663**

**(House Bill 369)**

AN ACT concerning

**Incinerators – Authority to Prohibit**

FOR the purpose of prohibiting the construction and operation of incinerators within a certain distance of certain schools; prohibiting the issuance of certain permits for the construction and operation of certain incinerators; providing certain exceptions; and generally relating to incinerators.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9-201(e) and 9-204(d)  
Annotated Code of Maryland  
(1996 Replacement Volume and 1996 Supplement)

BY adding to  
Article – Environment