

SUBTITLE 4. PERMITS PERMITS AND STATEMENT FILINGS.

5-401.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, A REGISTERED CEMETERIAN OR REGISTERED SELLER MAY ENGAGE IN THE OPERATION OF A CEMETERY OR BURIAL GOODS BUSINESS AS A SOLE PROPRIETOR OR THROUGH:

(1) A CORPORATION AS AN OFFICER, DIRECTOR, EMPLOYEE, OR AGENT OF THE CORPORATION;

(2) A LIMITED LIABILITY COMPANY AS A MEMBER, EMPLOYEE, OR AGENT OF THE LIMITED LIABILITY COMPANY; OR

(3) A PARTNERSHIP AS A PARTNER, EMPLOYEE, OR AGENT OF THE PARTNERSHIP.

(B) SUBJECT TO THE PROVISIONS OF THIS TITLE, A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP MAY ENGAGE IN THE OPERATION OF A CEMETERY OR BURIAL GOODS BUSINESS THROUGH A REGISTERED CEMETERIAN OR REGISTERED SELLER.

(C) (1) A REGISTERED CEMETERIAN WHO ENGAGES IN THE OPERATION OF A CEMETERY THROUGH A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP UNDER THIS TITLE IS SUBJECT TO ALL OF THE PROVISIONS OF THIS TITLE THAT RELATE TO ENGAGING IN THE OPERATION OF A CEMETERY.

(2) A REGISTERED SELLER WHO ENGAGES IN THE OPERATION OF A BURIAL GOODS BUSINESS THROUGH A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP UNDER THIS TITLE IS SUBJECT TO ALL OF THE PROVISIONS OF THIS TITLE THAT RELATE TO PROVIDING BURIAL GOODS SERVICES.

(D) (1) A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP THAT ENGAGES IN THE OPERATION OF A CEMETERY OR BURIAL GOODS BUSINESS UNDER THIS TITLE IS NOT, BY ITS COMPLIANCE WITH THIS TITLE, RELIEVED OF ANY RESPONSIBILITY THAT THE CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP MAY HAVE FOR AN ACT OR AN OMISSION BY ITS OFFICER, DIRECTOR, MEMBER, PARTNER, EMPLOYEE, OR AGENT.

(2) AN INDIVIDUAL WHO ENGAGES IN THE OPERATION OF A CEMETERY OR BURIAL GOODS BUSINESS THROUGH A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP IS NOT, BY REASON OF THE INDIVIDUAL'S EMPLOYMENT OR OTHER RELATIONSHIP WITH THE CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP, RELIEVED OF ANY INDIVIDUAL RESPONSIBILITY THAT THE INDIVIDUAL MAY HAVE REGARDING THAT PRACTICE.

5-402.

A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP SHALL OBTAIN A PERMIT ISSUED BY THE DIRECTOR, BEFORE THE CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP MAY ENGAGE IN THE OPERATION OF A CEMETERY OR BURIAL GOODS BUSINESS IN THE STATE.