

(B) AN ACTION UNDER THIS SECTION MAY BE BROUGHT BY:

- (1) THE BOARD;
- (2) THE ATTORNEY GENERAL; OR
- (3) A STATE'S ATTORNEY.

(C) AN ACTION UNDER THIS SECTION SHALL BE BROUGHT IN THE COUNTY WHERE THE DEFENDANT:

- (1) RESIDES; OR
- (2) ENGAGES IN THE PRACTICE OF MORTUARY SCIENCE.

(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) (1) SELLERS OF PRE-NEED CONTRACTS MUST SHALL HAVE AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OR CERTIFIED PUBLIC ACCOUNTANT FIRM ANNUALLY AUDIT CERTIFY THE SELLER'S ACCOUNTS, AND~~

~~(2) SELLERS OF PRE-NEED CONTRACTS SHALL SUBMIT TO THE BOARD BY JULY 1 OF EACH YEAR AN ANNUAL UNQUALIFIED AUDIT OF THE SELLER'S A CERTIFICATE FROM AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OR 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.

May 22, 1997

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis MD 21401

Dear Mr. President: