

(3) To qualify for an exemption under paragraph (2) of this subsection an original mortgagor OR AGENT OF THE ORIGINAL MORTGAGOR shall include a statement in the recitals or in the acknowledgment of the mortgage or deed of trust, or submit with the mortgage or deed of trust, an affidavit under oath, signed by the original mortgagor OR AGENT OF THE ORIGINAL MORTGAGOR, stating:

(i) that the individual is the original mortgagor OR AGENT OF THE ORIGINAL MORTGAGOR;

(ii) that the mortgaged property is the principal residence of the original mortgagor; and

(iii) the amount of unpaid principal of the original mortgage or deed of trust that is being refinanced.

(4) A STATEMENT UNDER PARAGRAPH (3) OF THIS SUBSECTION BY AN AGENT OF THE ORIGINAL MORTGAGOR SHALL STATE THAT THE STATEMENT:

(I) IS BASED ON A DILIGENT INQUIRY MADE BY THE AGENT WITH RESPECT TO THE FACTS SET FORTH IN THE STATEMENT; AND

(II) IS TRUE TO THE BEST OF THE KNOWLEDGE, INFORMATION, AND BELIEF OF THE AGENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2002.

Approved May 16, 2002.

CHAPTER 525

(House Bill 516)

AN ACT concerning

Personal Representative of Deceased Mortician's Estate - License Required

FOR the purpose of specifying that a license is required of an individual who makes funeral arrangements as a personal representative of a deceased mortician's estate; requiring the State Board of Morticians to issue a certain license to a personal representative under certain circumstances; specifying that a personal representative may sell a mortuary business; specifying that a personal representative of a deceased mortician's estate who obtains a certain license may continue operation of a mortuary business and plan and conduct certain services; requiring a licensed mortician to directly supervise a mortuary business operated by a licensed personal representative; requiring a licensed mortician to provide embalming services for a mortuary business operated by a licensed personal representative; providing that a certain license is valid for a specified period; prohibiting renewal or reinstatement of a certain license after a specified period has expired; providing that upon expiration of a certain