

- (1) HAS LESS THAN 1 ACRE AVAILABLE FOR BURIAL; OR
- (2) IS OWNED AND OPERATED BY:

- (I) A COUNTY;
- (II) A MUNICIPAL CORPORATION;
- (III) A CHURCH;
- (IV) A SYNAGOGUE;
- (V) A RELIGIOUS ORGANIZATION; OR

(VI) A NOT FOR PROFIT ORGANIZATION CREATED BEFORE 1900 BY AN ACT OF THE GENERAL ASSEMBLY.

(B) BELOW-GROUND EARTH-COVERED CHAMBERS EXCLUDED.

THIS SUBTITLE DOES NOT APPLY TO THE SALE OF A BELOW-GROUND EARTH-COVERED CHAMBER.

(C) EFFECT ON PREEXISTING TRUST AGREEMENTS.

THIS SUBTITLE DOES NOT AMEND A TRUST AGREEMENT COVERING A PERPETUAL CARE FUND THAT EXISTED ON OR BEFORE JULY 1, 1973, EXCEPT AS TO:

- (1) THE APPOINTMENT OF A SUCCESSOR TRUSTEE OR COTRUSTEE;
- (2) DEPOSITS INTO THE FUND AFTER JULY 1, 1973; AND
- (3) THE WITHDRAWAL FROM THE FUND OF INCOME ON DEPOSITS MADE AFTER JULY 1, 1973.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 23, § 165A(g), (h), (j), and the second clause of the third sentence of (b).

Defined terms: "Burial" § 5-101

"Cemetery" § 5-101

"County" § 1-101

5-303. TRUST FUND REQUIRED; COMPOSITION; USE.

(A) "DEVELOPED LAND AREA" DEFINED.

IN THIS SECTION, "DEVELOPED LAND AREA" MEANS LAND IN A CEMETERY:

- (1) THAT IS AVAILABLE FOR BURIAL;
- (2) WHERE ROADS, PATHS, OR BUILDINGS HAVE BEEN LAID OUT OR BUILT; OR