

(1) SHALL BE USED ONLY FOR THE PERPETUAL CARE OF THE CEMETERY, INCLUDING:

(I) THE MAINTENANCE, ADMINISTRATION, SUPERVISION, AND EMBELLISHMENT OF THE CEMETERY AND ITS GROUNDS, ROADS, AND PATHS; AND

(II) THE REPAIR AND RENEWAL OF BUILDINGS, INCLUDING COLUMBARIA AND MAUSOLEUMS, AND THE PROPERTY OF THE CEMETERY; AND

(2) MAY NOT BE USED TO CARE FOR MEMORIALS OR MONUMENTS.

REVISOR'S NOTE: Subsections (a), (b), (c), (d)(2) and (3), and (e) of this section are new language derived without substantive change from former Art. 23, § 165A(c), (f), (i)(4) and (7), and the first, second, and fourth sentences of (b).

Subsection (d)(1) of this section is new language added for clarity.

In subsection (b)(1) of this section, the duty to "have" a trust fund is substituted for the former duty to "establish" a trust fund "within a period of nine months after July 1, 1973" because presumably each cemetery that existed when the provision was enacted has established a trust fund. Similarly, the former references to "July 1, 1973" are deleted as obsolete.

In subsection (d)(2) of this section, the former references to "July 1, 1973" are deleted as obsolete.

In subsection (e)(1)(i) of this section, the former word "preservation" is deleted as included in the word "maintenance".

The first clause of the third sentence of former Art. 23, § 165A(b), which provided an exception for an organized cemetery that had already established a trust fund, is deleted as obsolete. Similarly, former Art. 23, § 165A(d), which provided exceptions from the requirements of former Art. 23, § 165A(b) for a period of 72 months from July 1, 1973 for cemeteries of certain developed areas, is deleted as obsolete.

Defined terms: "Burial" § 5-101

"Cemetery" § 5-101

"Cemetery owner" § 5-301

"Trust fund" § 5-301

5-304. TRUSTEES.

A TRUSTEE APPOINTED UNDER THIS SUBTITLE MUST BE:

(1) A NATIONAL BANKING ASSOCIATION;

(2) A BANK, AS DEFINED IN THE MARYLAND UNIFORM FIDUCIARIES ACT;