

HOUSE BILL 1236

J1, E1

4r2719
CF SB 580

By: **Delegates Parrott, Glass, Krebs, McDermott, and Serafini**

Introduced and read first time: February 7, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **Health – Reporting of Death and Burial or Disposal of Body – Requirements**
3 **and Penalties**

4 FOR the purpose of requiring certain individuals who have personal knowledge of the
5 death of another individual or who have personally discovered a body to provide
6 certain notice of the death within a certain time period to a certain law
7 enforcement officer, ~~physician, or 9-1-1 system~~; prohibiting an individual from
8 burying or disposing of a body except in a certain manner; establishing certain
9 penalties; and generally relating to reporting a death and burying or disposing
10 of a body.

11 BY repealing and reenacting, without amendments,
12 Article – Health – General
13 Section 5–101
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2013 Supplement)

16 BY adding to
17 Article – Health – General
18 Section 5–514
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2013 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Health – General

5–101.

In this title, “body” means a dead human body.

5–514.

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL WHO HAS PERSONAL KNOWLEDGE OF THE DEATH OF ANOTHER INDIVIDUAL OR WHO HAS PERSONALLY DISCOVERED A BODY SHALL PROVIDE, IN PERSON OR BY TELEPHONE, NOTICE OF THE DEATH WITHIN 4 HOURS AFTER ACQUIRING THE KNOWLEDGE OR MAKING THE DISCOVERY TO:

~~(I) A LAW ENFORCEMENT OFFICER AS DEFINED IN § 3–101 OF THE PUBLIC SAFETY ARTICLE;~~

~~(II) A PHYSICIAN WHO HAS PROVIDED MEDICAL TREATMENT TO THE DECEASED INDIVIDUAL WITHIN 30 DAYS PRIOR TO THE TIME THE KNOWLEDGE IS ACQUIRED OR THE DEATH IS DISCOVERED; OR~~

~~(III) A 9-1-1 SYSTEM OR PUBLIC SAFETY ANSWERING POINT AS THOSE TERMS ARE DEFINED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.~~

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO HAS A REASONABLE BELIEF THAT NOTICE OF THE DEATH PREVIOUSLY HAS BEEN MADE IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(B) AN INDIVIDUAL MAY NOT BURY OR DISPOSE OF A BODY EXCEPT:

(1) IN A FAMILY BURIAL PLOT OR OTHER AREA ALLOWED BY A LOCAL ORDINANCE;

(2) IN A CREMATORY;

(3) IN A CEMETERY;

(4) BY DONATING THE BODY TO MEDICAL SCIENCE; OR

(5) BY REMOVING THE BODY TO ANOTHER STATE FOR FINAL DISPOSITION IN ACCORDANCE WITH THE LAWS OF THE OTHER STATE.

1 **(C) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A**
2 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
3 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.