

HOUSE BILL 431

J1, E1
HB 1236/14 – HGO

5lr1876

By: Delegates Parrott, Krebs, Metzgar, and Shoemaker, Shoemaker, Hill, McDonough, and Sample-Hughes

Introduced and read first time: February 9, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2015

CHAPTER _____

1 AN ACT concerning

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

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

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 5–101
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2014 Supplement)

15 BY adding to
16 Article – Health – General
17 Section 5–514
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2014 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 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.



1 Article – Health – General

2 5–101.

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

4 ~~5–514.~~

5 ~~(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~
 6 ~~AN INDIVIDUAL WHO HAS PERSONAL KNOWLEDGE OF THE DEATH OF ANOTHER~~
 7 ~~INDIVIDUAL OR WHO HAS PERSONALLY DISCOVERED A BODY SHALL PROVIDE, IN~~
 8 ~~PERSON OR BY TELEPHONE, NOTICE OF THE DEATH WITHIN 4 HOURS AFTER~~
 9 ~~ACQUIRING THE KNOWLEDGE OR MAKING THE DISCOVERY TO A LAW ENFORCEMENT~~
 10 ~~OFFICER AS DEFINED IN § 3-101 OF THE PUBLIC SAFETY ARTICLE.~~

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

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

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

18 (2) IN A CREMATORY;

19 (3) IN A CEMETERY;

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

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

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 27 October 1, 2015.