

# HOUSE BILL 1264

E4

4lr2242  
CF SB 121

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By: **Delegates Swain, Howard, Sophocleus, and Weir**

Introduced and read first time: February 7, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Removal of Dead Bodies – Police Presence**

3 FOR the purpose of requiring, on request of a certain mortuary science practitioner, a  
4 police officer called to a residence where an individual has died to remain at the  
5 residence until the body has been removed from the residence by the mortuary  
6 science practitioner or medical examiner; defining certain terms; and generally  
7 relating to police presence and the removal of dead bodies.

8 BY adding to

9 Article – Public Safety  
10 Section 3–509  
11 Annotated Code of Maryland  
12 (2011 Replacement Volume and 2013 Supplement)

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

15 **Article – Public Safety**

16 **3–509.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
18 MEANINGS INDICATED.

19 (2) “BODY” HAS THE MEANING STATED IN § 5–101 OF THE  
20 HEALTH – GENERAL ARTICLE.

21 (3) (I) “MORTUARY SCIENCE PRACTITIONER” MEANS A  
22 PERSON WHO IS LICENSED BY THE STATE AS A FUNERAL DIRECTOR,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 MORTICIAN, OR SURVIVING SPOUSE LICENSEE TO PRACTICE MORTUARY  
2 SCIENCE.

3 (II) "MORTUARY SCIENCE PRACTITIONER" INCLUDES A  
4 PERSON ACTING UNDER THE DIRECTION OF A PERSON WHO IS LICENSED BY THE  
5 STATE AS A FUNERAL DIRECTOR, MORTICIAN, OR SURVIVING SPOUSE LICENSEE  
6 TO PRACTICE MORTUARY SCIENCE.

7 (4) "POLICE OFFICER" MEANS A MEMBER OF:

8 (I) A POLICE FORCE OF THE STATE; OR

9 (II) A POLICE FORCE OF A COUNTY OR MUNICIPAL  
10 CORPORATION OF THE STATE.

11 (B) ON REQUEST OF A MORTUARY SCIENCE PRACTITIONER, A POLICE  
12 OFFICER CALLED TO A RESIDENCE WHERE AN INDIVIDUAL HAS DIED SHALL  
13 REMAIN AT THE RESIDENCE UNTIL THE BODY IS REMOVED FROM THE  
14 RESIDENCE BY THE MORTUARY SCIENCE PRACTITIONER OR MEDICAL  
15 EXAMINER.

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