

SENATE BILL 129

E1

5lr0399

By: **Senator Gladden**

Introduced and read first time: January 28, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Desecration of Human Remains – Penalty**

3 FOR the purpose of prohibiting a person from willfully damaging or destroying human
4 remains; providing for certain exceptions; establishing a certain penalty; and
5 generally relating to the desecration of human remains.

6 BY adding to

7 Article – Criminal Law

8 Section 10–405

9 Annotated Code of Maryland

10 (2012 Replacement Volume and 2014 Supplement)

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

13 **Article – Criminal Law**

14 **10–405.**

15 **(A) THIS SECTION DOES NOT APPLY TO:**

16 **(1) A PERSON ACTING IN THE COURSE OF MEDICAL, EDUCATIONAL,**
17 **OR SCIENTIFIC STUDY; OR**

18 **(2) A MEDICAL PROFESSIONAL OR LICENSED MORTICIAN ACTING IN**
19 **THE COURSE OF CARRYING OUT A PROFESSIONAL DUTY.**

20 **(B) A PERSON MAY NOT WILLFULLY DAMAGE OR DESTROY HUMAN REMAINS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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