

SENATE BILL 690

E4
SB 121/14 – JPR

5lr1942

By: **Senator Benson**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

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 and
4 under certain circumstances, a police officer called to a residence where an individual
5 has died to remain at the residence until the body has been removed from the
6 residence by the mortuary science practitioner or medical examiner or for a certain
7 period of time; defining certain terms; and generally relating to police presence and
8 the removal of dead bodies.

9 BY adding to

10 Article – Public Safety

11 Section 3–510

12 Annotated Code of Maryland

13 (2011 Replacement Volume and 2014 Supplement)

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

15 That the Laws of Maryland read as follows:

16 **Article – Public Safety**

17 **3–510.**

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) (I) “MORTUARY SCIENCE PRACTITIONER” MEANS A PERSON**
2 **WHO IS LICENSED BY THE STATE AS A FUNERAL DIRECTOR, MORTICIAN, OR**
3 **SURVIVING SPOUSE LICENSEE TO PRACTICE MORTUARY SCIENCE.**

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

8 **(4) “POLICE OFFICER” MEANS A MEMBER OF:**

9 **(I) A POLICE FORCE OF THE STATE; OR**

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

12 **(B) (1) ON REQUEST OF A MORTUARY SCIENCE PRACTITIONER AND**
13 **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A POLICE OFFICER CALLED TO A**
14 **RESIDENCE WHERE AN INDIVIDUAL HAS DIED SHALL REMAIN AT THE RESIDENCE:**

15 **(I) UNTIL THE BODY IS REMOVED FROM THE RESIDENCE BY**
16 **THE MORTUARY SCIENCE PRACTITIONER OR MEDICAL EXAMINER; OR**

17 **(II) FOR AT LEAST 90 MINUTES.**

18 **(2) A POLICE OFFICER MAY LEAVE A RESIDENCE BEFORE THE TIME**
19 **PERIOD REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION HAS ELAPSED IF**
20 **THE POLICE OFFICER RECEIVES A CALL THAT REQUIRES THE POLICE OFFICER TO**
21 **RESPOND TO A MATTER THAT IS A HIGHER PRIORITY THAN REMAINING AT THE**
22 **RESIDENCE.**

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