

an officer who failed to notify the board. The 1890 Act also eliminated the exclusion for a dying individual who asked to be buried.

Thus in subsection (a)(1) of this section, notification after "a reasonable search" is substituted for "immediately after death has been pronounced".

Also subsection (a)(1) and (2) of this section does not exclude an individual based on a known desire of that individual to be buried. Cf. ET §§ 4-509(a)(3) and 4-509.1(a)(2), as to the known objection of a next of kin to an organ transplant or cornea transplant.

In subsection (b)(2) and (3) of this section, reference to "the person who notifies the Board" is substituted for "the officer, person or institution having possession of such bodies", for clarity and brevity.

As to subsection (b)(1) and (3) of this section, the Commission notes, for consideration by the General Assembly, that former Article 43, § 159(b) and (c) authorizes, instead of requires, removal to a designated morgue. The General Assembly may wish to consider whether this provision should be mandatory.

Defined terms: "Board" § 5-401
 "Body" § 5-101 "Public officer" § 5-401
 "Person" § 1-101

5-407. DISTRIBUTION AND USE OF BODIES.

THE BOARD SHALL DISTRIBUTE THE BODIES THAT ARE UNDER ITS EXCLUSIVE CONTROL EQUITABLY AMONG THE SCHOOLS DESCRIBED IN § 5-403 OF THIS SUBTITLE. THESE BODIES MAY BE USED ONLY FOR THE PROMOTION AND APPLICATION OF THE MEDICAL SCIENCES.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 160(a) and (b).

The only changes are in style.

Defined terms: "Board" § 5-401
 "Body" § 5-101

5-408. BUYING, SELLING, OR TRANSPORTING BODIES.

(A) BUYING OR SELLING.

A PERSON MAY NOT SELL OR BUY ANY BODY OR ANY PART OF A BODY THAT IS UNDER THE EXCLUSIVE CONTROL OF THE BOARD.