

contained in Article 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a prescribed minimum penalty, the court nevertheless may impose a lesser penalty of the same character.

The only other changes are in style.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that subsection (a) of this section provides for a more severe penalty than subsection (b) of this section although the latter applies to public officers, who ordinarily are held to a higher standard than a citizen. Also, the Commission notes that the differences, if any, intended between the terms "violate" in subsection (a) of this section and "neglects or refuses to comply" in subsection (b) of this section are unclear. The Commission suggests that subsection (b) of this section is intended to apply to misfeasance in office rather than violations of law.

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

SUBTITLE 5. MISCELLANEOUS PROVISIONS.

5-501. CONSENT FOR POSTMORTEM EXAMINATION.

(A) IN GENERAL.

CONSENT FOR A POSTMORTEM EXAMINATION OF A BODY BY A PHYSICIAN IS SUFFICIENT IF THE CONSENT IS GIVEN AS PROVIDED IN THIS SECTION.

(B) PERSONS AUTHORIZED TO CONSENT.

(1) THE CONSENT MAY BE GIVEN BY ANY ONE OF THE FOLLOWING PERSONS IF THAT PERSON, WHETHER ALONE OR WITH ANOTHER, HAS ASSUMED CONTROL OF THE BODY FOR ITS FINAL DISPOSITION:

(I) A PARENT;

(II) A SPOUSE;

(III) A CHILD;

(IV) A GUARDIAN;

(V) A NEXT OF KIN; OR

(VI) IN THE ABSENCE OF THESE PERSONS, ANY OTHER PERSON.