

267.

(A) Any person [or persons, or his, her or their aiders or abettors,] who [shall] wilfully [destroy, mutilate, deface, injure or remove] DESTROYS, MUTILATES, DEFACTS, INJURES, OR REMOVES any tomb, monument, gravestone, or other structure placed in any cemetery, or any building, wall, fence, railing, or other work, for the use, protection, or ornamentation of any [public or private] cemetery in this State [or] IS GUILTY OF A MISDEMEANOR AND-

~~{1}--MAY---BE--ORDERED--TO--PAY--RESTITUTION--FOR--ANY PROPERTY--THAT--WAS--DESTROYED,--MUTILATED,--DEFACED,--INJURED, REMOVED,--OR--THAT--HAD--ITS--VALUE--SUBSTANTIALLY--IMPAIRED,--AND~~

{2} SHALL BE FINED NOT MORE THAN \$2,000, OR IMPRISONED FOR NOT MORE THAN 3 YEARS, OR BOTH.

(B) ANY PERSON WHO [shall] wilfully [destroy, cut, break, or remove] DESTROYS, CUTS, BREAKS, OR REMOVES any tree, plant, or shrub [within its limits] IN ANY CEMETERY IN THIS STATE, or who [shall be] IS FOUND guilty of indecent or disorderly conduct within said limits, shall be guilty of a misdemeanor, and [upon conviction thereof in any court of competent jurisdiction of this State, shall]-

~~{1}--MAY-BE-ORDERED-TO-PAY-RESTITUTION-FOR--ANY--TREE, PLANT,--OR-SHRUB-THAT-WAS-DESTROYED,-CUT,-BROKEN,-OR-REMOVED,-AND~~

{2} SHALL BE FINED NOT [be punished by a fine of not less than five dollars nor] more than [five hundred dollars] \$500, or [imprisonment in the county jail, or in the house of correction,] IMPRISONED for not [less than thirty days nor] more than [two] 2 years, or [by] both [such fine and imprisonment in the discretion of said court, according to the gravity of the offense].

(C) Nothing in this section shall be construed to prohibit the removal of the remains of any human body, or of any monument, gravestone, or other marker from an abandoned cemetery, provided that the prior consent in writing of the State's attorney of the county or of Baltimore City shall have been secured and provided further that such remains, monuments, gravestone, or other marker is placed in an accessible place in a permanent cemetery.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 15, 1984.
