

Section 265 to be under the new subheading "Removal of Human Remains from Burial Sites"

Annotated Code of Maryland

(1996 Replacement Volume and 1999 Supplement)

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 267 to be under the new subheading "Graveyard Desecration"

Annotated Code of Maryland

(1996 Replacement Volume and 1999 Supplement)

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

Article 27 - Crimes and Punishments

[Graveyard Desecration]

[265.

Every person, his aiders, abettors and counsellors, who shall be convicted of removing or attempting to remove from any graveyard, burial ground or vault in the State of Maryland any dead body which shall have been buried in such graveyard, burial ground or vault, shall be deemed guilty of a misdemeanor, and shall be sentenced to the penitentiary for not less than five nor more than fifteen years, unless such person or persons shall have been authorized by the State's Attorney for Baltimore City or for the county in which such graveyard, burial ground or vault may be situated to remove such dead body for the purpose of ascertaining the cause of the death of the person whose body is so removed, or for the purpose of reburial.]

REMOVAL OF HUMAN REMAINS FROM BURIAL SITES

265.

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

(2) (I) "ASSOCIATED FUNERARY OBJECT" MEANS AN ITEM OF HUMAN MANUFACTURE OR USE THAT IS INTENTIONALLY PLACED WITH HUMAN REMAINS AT THE TIME OF INTERMENT IN A BURIAL SITE OR PLACED LATER AS A PART OF A DEATH RITE OR CEREMONY OF A CULTURE, RELIGION, OR GROUP.

(II) "ASSOCIATED FUNERARY OBJECT" INCLUDES ANY GRAVESTONE, MONUMENT, TOMB, OR OTHER STRUCTURE IN OR DIRECTLY ASSOCIATED WITH A BURIAL SITE.

(3) (I) "BURIAL SITE" MEANS ANY NATURAL OR PREPARED PHYSICAL LOCATION, WHETHER ORIGINALLY LOCATED BELOW, ON, OR ABOVE THE SURFACE