

(I) 1. IN A PERMANENT CEMETERY THAT PROVIDES PERPETUAL CARE; OR

2. IN A PLACE OTHER THAN A PERMANENT CEMETERY WITH THE AGREEMENT OF, OR AT THE REQUEST OF, A PERSON IN INTEREST AS DEFINED IN § 14-121(A)(4) OF THE REAL PROPERTY ARTICLE; AND

(II) IN THE PRESENCE OF:

1. A MORTICIAN, PROFESSIONAL CEMETERIAN, OR OTHER INDIVIDUAL QUALIFIED IN THE INTERMENT OF HUMAN REMAINS;

2. A MINISTER, PRIEST, OR OTHER RELIGIOUS LEADER; OR

3. A TRAINED ANTHROPOLOGIST OR ARCHAEOLOGIST.

(2) THE LOCATION OF THE FINAL DISPOSITION AND TREATMENT OF HUMAN REMAINS THAT ARE REMOVED FROM A BURIAL SITE IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION SHALL BE ENTERED INTO THE LOCAL BURIAL SITES INVENTORY OR, IF NO LOCAL BURIAL SITES INVENTORY EXISTS, INTO WHATEVER RECORD OR INVENTORY DEEMED APPROPRIATE BY THE STATE'S ATTORNEY OR THE MARYLAND HISTORICAL TRUST.

(G) THIS SECTION MAY NOT BE CONSTRUED TO INTERFERE WITH THE NORMAL OPERATION AND MAINTENANCE OF A PUBLIC OR PRIVATE CEMETERY AS LONG AS THE OPERATION AND MAINTENANCE OF THE CEMETERY ARE PERFORMED IN ACCORDANCE WITH STATE LAW.

GRAVEYARD DESECRATION

267.

(A) (1) IN THIS SECTION, "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 PART OF A DEATH RITE OR CEREMONY OF A CULTURE, RELIGION, OR GROUP.

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

(a) (B) Any person who wilfully destroys, mutilates, defaces, injures, or removes ~~any tomb, monument, gravestone,~~ AN ASSOCIATED FUNERARY OBJECT or other structure placed in any cemetery, or any building, wall, fence, railing, or other work, for the use, protection, or ornamentation of any cemetery in this State is guilty of a misdemeanor and shall be fined not more than ~~\$5,000~~ \$10,000, or imprisoned for not more than ~~3~~ 5 years, or both.

(b) (C) Any person who wilfully destroys, cuts, breaks, or removes any tree, plant, or shrub in any cemetery in this State, or who is found guilty of indecent or disorderly conduct within said limits, shall be guilty of a misdemeanor, and shall be fined not more than \$500, or imprisoned for not more than 2 years, or both.