

In subsection (d)(2) of this section, the reference to "a" record is substituted for the former reference to "whatever" record for clarity and consistency.

In subsection (e)(2) of this section, the former reference to a "public or private" cemetery is deleted as surplusage.

Defined terms: "Burial site" § 10-401

"County" § 1-101

"Permanent cemetery" § 10-401

"Person" § 1-101

10-403. REMOVAL OF HUMAN REMAINS OR FUNERARY OBJECT.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO:

(1) A PERSON ACTING IN THE COURSE OF MEDICAL, ARCHAEOLOGICAL, EDUCATIONAL, OR SCIENTIFIC STUDY;

(2) A LICENSED MORTICIAN OR OTHER PROFESSIONAL WHO TRANSPORTS HUMAN REMAINS IN THE COURSE OF CARRYING OUT PROFESSIONAL DUTIES; OR

(3) A PERSON ACTING UNDER THE AUTHORITY OF:

(I) § 10-402 OF THIS SUBTITLE; OR

(II) § 4-215 OR § 5-408 OF THE HEALTH - GENERAL ARTICLE.

(B) PROHIBITED.

A PERSON MAY NOT KNOWINGLY SELL, BUY, OR TRANSPORT FOR SALE OR PROFIT, OR OFFER TO BUY, SELL, OR TRANSPORT FOR SALE OR PROFIT:

(1) UNLAWFULLY REMOVED HUMAN REMAINS; OR

(2) A FUNERARY OBJECT OBTAINED IN VIOLATION OF § 10-404 OF THIS SUBTITLE.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(D) APPROPRIATION AND DISPOSITION.

THE MARYLAND HISTORICAL TRUST MAY APPROPRIATE ALL HUMAN REMAINS AND FUNERARY OBJECTS OBTAINED IN VIOLATION OF THIS SUBTITLE FOR MANAGEMENT, CARE, AND ADMINISTRATION UNTIL A DETERMINATION OF FINAL DISPOSITION AS PROVIDED BY LAW.

(E) CONSTRUCTION OF SECTION.