

Article - Estates and Trusts

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§4-507.

(a) Subject to subsections (b) and (c) of this section and except as prohibited under §§ 4-505 and 4-506 of this subtitle, in accordance with the order of priority listed, a member of one of the following classes of individuals who is reasonably available may make an anatomical gift of a decedent's body or part for the purpose of transplantation, therapy, research, or education:

(1) An agent of the decedent at the time of death who could have made an anatomical gift under § 4-503(b) of this subtitle immediately before the decedent's death;

(2) The persons who were acting as the guardians of the decedent at the time of the death of the decedent;

(3) The spouse or domestic partner of the decedent;

(4) The adult children of the decedent;

(5) The parents of the decedent;

(6) The adult siblings of the decedent;

(7) The adult grandchildren of the decedent;

(8) The grandparents of the decedent;

(9) An adult who exhibited special care and concern for the decedent; or

(10) Another person having the authority to dispose of the body of the decedent.

(b) (1) If there is more than one member of a class listed in subsection (a)(1), (3), (4), (5), (6), (7), or (9) of this section entitled to make an anatomical gift, an anatomical gift may be made by a member of the class unless that member or a person to which the gift may pass under § 4-509 of this subtitle knows of an objection by another member of the class.

(2) If an objection to an anatomical gift is known, the gift may be made only by a majority of the members of the class who are reasonably available.

(c) A person may not make an anatomical gift if, at the time of the decedent's death, a person in a prior class under subsection (a) of this section is reasonably available to make or to object to the making of an anatomical gift.

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