

HB0593/643223/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 593
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Schmidt**” and substitute “**Schmidt, Crutchfield, Phillips, Arikan, and Kaufman**”; in line 2, after “**Objects**” insert “**and Cemetery Elements**”; in the same line, after “**Limitations**” insert “**and Prohibition**”; in line 4, strike “structures in” and substitute “**elements of**”; in the same line, after “cemetery” insert “**to begin at the time local authorities knew or reasonably should have known of the violation; prohibiting a person from willfully destroying, damaging, defacing, or removing landscaping or part of the grounds of a cemetery**”; in line 5, after “for” insert “**and prosecution of**”; in the same line, after “objects” insert “**and other elements of a cemetery**”; after line 15, insert:

“**BY repealing and reenacting, with amendments,**

Article – Criminal Law

Section 10–404(a)

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)”;

and in line 18, strike “10–404(a)” and substitute “**10–404(b)**”.

AMENDMENT NO. 2

On page 2, in line 4, after “**10-404(A)**” insert “**OR (B)**”; in line 6, strike “**STRUCTURES IN**” and substitute “**OTHER ELEMENTS OF**”; in the same line, strike “**5**” and substitute “**3**”; in line 7, strike “**OFFENSE WAS COMMITTED**” and substitute “**LOCAL AUTHORITIES IN FACT KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE VIOLATION**”; in line 13, strike “or”; in line 15, after “cemetery” insert “**; OR**”

(III) LANDSCAPING OR PART OF THE GROUNDS OF A CEMETERY”;

in line 17, after “railing” insert “, LANDSCAPING”; and after line 20, insert:

“(b) (1) Subject to the provisions of paragraph (2) of this subsection, a person may not willfully destroy, damage, or remove a tree, plant, or shrub in a cemetery.

(2) The provisions of paragraph (1) of this subsection do not prohibit normal maintenance of a cemetery or burial site, including trimming of trees and shrubs, removal of weeds or noxious growths, grass cutting, or other routine care and maintenance.”.