

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 459

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Funerary Objects and Burial Sites” and substitute “Cemeteries - Penalties”; and strike beginning with “making” in line 4 down through “sites” in line 18 and substitute “increasing a certain penalty for the desecration of certain objects or structures related to cemeteries”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 19 through 23, inclusive; and in line 26, strike “and 640(a)(11) and (b)(1)(i)”.

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 12 on page 2 through line 36 on page 5, inclusive, and substitute:

“(a) Any person who wilfully destroys, mutilates, defaces, injures, or removes any tomb, monument, gravestone, 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 [\$2,000] \$5,000, or imprisoned for not more than 3 years, or both.

“(b) 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.

(Over)

(c) Nothing in this section shall be construed to prohibit the removal of the remains of any human body, or of any monument, gravestone, or other marker from an abandoned cemetery, provided that the prior consent in writing of the State's Attorney of the county or of Baltimore City shall have been secured and provided further that such remains, monuments, gravestone, or other marker is placed in an accessible place in a permanent cemetery.”.