
By: Senator Bromwell

Introduced and read first time: January 18, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes and Punishments - Cemetery Desecration - Penalties**

3 FOR the purpose of increasing the maximum penalties for a person who is convicted of
4 willfully committing certain destructive acts in any cemetery in this State; and
5 generally relating to the penalties for committing certain destructive acts in any
6 cemetery in this State.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 267
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 27 - Crimes and Punishments**

15 267.

16 (a) Any person who wilfully destroys, mutilates, defaces, injures, or removes any
17 tomb, monument, gravestone, or other structure placed in any cemetery, or any building,
18 wall, fence, railing, or other work, for the use, protection, or ornamentation of any
19 cemetery in this State is guilty of a misdemeanor and shall be fined not more than
20 [\$2,000,] \$5,000 or imprisoned for not more than [3] 5 years, or both.

21 (b) Any person who wilfully destroys, cuts, breaks, or removes any tree, plant, or
22 shrub in any cemetery in this State, or who is found guilty of indecent or disorderly
23 conduct within said limits, shall be guilty of a misdemeanor, and shall be fined not more
24 than [\$500,] \$1,000 or imprisoned for not more than [2] 3 years, or both.

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

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1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.