

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1402  
Health

(Delegate Stinnett, *et al.*)

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Medical Examiner - Release of Body - Requirements for Muslims

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This bill requires a medical examiner, on receipt of notice that a deceased individual was Muslim, to release the body of the deceased individual within 48 hours after completion of the autopsy. A medical examiner is deemed to have received such notice if provided with (1) the will of the deceased; (2) a specified document regarding the disposition of a body; (3) notice from the deceased's next of kin; (4) confirmation from an imam or a mosque to which the deceased was known; or (5) information regarding previously established funeral arrangements made with a person authorized to oversee and carry out the burial rites of a deceased Muslim.

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Fiscal Summary

**State Effect:** None. The change is procedural in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** The Office of the Chief Medical Examiner (OCME) is the statewide agency designated by law to investigate deaths from injury, homicide, suicide, under unusual or suspicious circumstances, or when a person is not attended by a physician.

If the medical examiner who investigates a medical examiner's case considers an autopsy necessary, the Chief Medical Examiner, a deputy chief medical examiner, an assistant medical examiner, or an authorized pathologist must perform the autopsy.

### *Final Disposition of a Body*

Any adult may decide the disposition of their own body after death without the predeath or post-death consent of another person by (1) executing a document that expresses the individual's wishes regarding disposition of the body, including a document designating a person to act as authorizing agent or (2) entering into a pre-need contract.

**Additional Comments:** According to OCME, an autopsy usually takes between two to four hours to complete and should not affect plans for funeral arrangements. In more than 95% of cases, bodies are released by OCME within 24 hours.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2026  
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