

O.C.G.A. § 31-21-44

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\*\*\* Current through the 2007 Regular Session \*\*\*

TITLE 31. HEALTH  
CHAPTER 21. DEAD BODIES  
ARTICLE 3. OFFENSES

O.C.G.A. § 31-21-44 (2007)

§ 31-21-44. Wanton or malicious removal of dead body from grave or disturbance of contents of grave; receipt, retention, disposal, or possession of unlawfully removed dead body or bodily part

(a) It is unlawful for any person wantonly or maliciously to:

(1) Remove the dead body of a human being from any grave or other place of interment or from any vault, tomb, or sepulcher; or

(2) Otherwise disturb the contents of any grave or other place of interment or any vault, tomb, or sepulcher.

(b) It is unlawful for any person to receive, retain, dispose of, or possess the dead body or any bodily part of a human being knowing it to have been removed unlawfully from any grave or other place of interment or any vault, tomb, or sepulcher. This subsection shall not apply to any person having duties imposed upon that person relating to the possession or disposition of dead bodies while in the performance of said duties, which persons shall include law enforcement personnel, coroners and medical examiners, operators of funeral establishments, cemetery operators, and medical and medical laboratory personnel.

(c) Any person who violates any provision of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years, or by both such imprisonment and fine.

**HISTORY:** Code 1933, § 88-2710.1, enacted by Ga. L. 1980, p. 1434, § 1; Ga. L. 1989, p. 360, § 1.