

HOUSE BILL 235

C2

7lr0322

By: **Delegates Knotts, Hill, and Jackson**

Introduced and read first time: January 20, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Abandoned Private Cemeteries – Repair or Maintenance by County or**
3 **Municipality**

4 FOR the purpose of authorizing a county or municipality, by local law, to establish that
5 unpaid charges made against real property that is an abandoned private cemetery
6 for certain purposes are a lien on the property; requiring a county or municipality to
7 take certain actions if the county or municipality determines that a private cemetery
8 is abandoned and in need of repair, maintenance, or preservation; and generally
9 relating to the repair or maintenance of abandoned private cemeteries.

10 BY adding to
11 Article – Business Regulation
12 Section 5–507
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2016 Supplement)

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

17 **Article – Business Regulation**

18 **5–507.**

19 **(A) A COUNTY OR MUNICIPALITY, BY LOCAL LAW, MAY ESTABLISH THAT**
20 **UNPAID CHARGES MADE AGAINST REAL PROPERTY THAT IS AN ABANDONED**
21 **PRIVATE CEMETERY FOR THE REPAIR, MAINTENANCE, OR PRESERVATION OF THE**
22 **CEMETERY, INCLUDING THE REPAIR OR RESTORATION OF FENCES, TOMBS,**
23 **MONUMENTS, OR OTHER STRUCTURES LOCATED IN THE CEMETERY, ARE A LIEN ON**
24 **THE PROPERTY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) IF A COUNTY OR MUNICIPALITY DETERMINES THAT A PRIVATE**
2 **CEMETERY WITHIN THE COUNTY OR MUNICIPALITY IS ABANDONED AND IN NEED OF**
3 **REPAIR, MAINTENANCE, OR PRESERVATION, THE COUNTY OR MUNICIPALITY SHALL:**

4 **(1) NOTIFY THE CEMETERY OWNER THAT THE COUNTY OR**
5 **MUNICIPALITY HAS DETERMINED THAT CEMETERY IS IN NEED OF REPAIR,**
6 **MAINTENANCE, OR PRESERVATION;**

7 **(2) REQUEST PERMISSION FROM THE CEMETERY OWNER TO**
8 **PERFORM THE NECESSARY REPAIRS, MAINTENANCE, OR PRESERVATION; AND**

9 **(3) NOTIFY THE CEMETERY OWNER THAT IF THE COUNTY OR**
10 **MUNICIPALITY PERFORMS THE REPAIRS, MAINTENANCE, OR PRESERVATION, THE**
11 **UNPAID CHARGES FOR THE REPAIR, MAINTENANCE, OR PRESERVATION OF THE**
12 **CEMETERY ARE A LIEN ON THE PROPERTY.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2017.