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## Christine Simmons Testimony at Maryland Senate Finance Committee re SB0224, Jan. 24, 2024

Today I represent the Coalition to Protect Maryland Burial Sites, the state-wide nonprofit dedicated to identifying, protecting, and preserving cemeteries in Maryland. In my 35 years of researching in Anne Arundel County, I have only found 38 burial permits, 4 of those being transit permits. Under the present laws, there is no requirement for any official place to keep these vital records over time... not the funeral home, State's Attorney, or Maryland State Archives. Sometimes there is no known cemetery owner or no clear title. In some cases, remains have been moved without any attempt to contact family members.

After a close review of SB 224, the Coalition recommends that a copy of the burial transit permit be kept by the cemetery property owner or agent, at both the initial and final destinations. There should be a significant fine imposed if all procedures are not followed, with the fines to be deposited in a fund at the Maryland Office of Cemetery Oversight for work at cemeteries usually not eligible for other funding. We also suggest two specific wording changes to current law:

p. 1, line 23(b) (1) : Remove "from this State"

p. 2 line 26 (e) (1): Require documentation of an attempt to reach a family member in advance of remains being reinterred within the same cemetery

The Annotated Code of Maryland currently addresses burial sites in multiple sections -- criminal law, health codes, property rights, and desecration. This approach causes confusion for all parties involved, and leaves gaps in the records about the final resting place of remains. The Coalition's recommendation is for the State to clarify the records by consolidating the laws addressing burials, dis-interments and reinterments that are *not* related to criminal matters under the purview of the Office of Cemetery Oversight. Ultimately this should include creation of a central database of Maryland cemeteries, providing a method to address burial sites where there is no known property owner, incentives for all counties and towns to identify sites, requiring notification of descendants prior to disinterment, requiring funeral homes and State's Attorneys to maintain relevant records, and increasing penalties for vandals and scoff-laws.

In addition to our specific suggestions, the Coalition supports the amendments to SB224 proposed by Mr. David Zinner in his written testimony today, which among other things would transfer oversight of non-criminal investigation dis-interments from the State's Attorney to OCO, ensure descendent notice, and raise penalties for desecration and improper re-interments.

Thank you for your attention. I am happy to answer any questions.

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