

SB233- Sale or Transfer of Cemeteries for Another Use

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This bill strengthens Maryland's existing cemetery law by creating a clear, fair process that holds cemetery property owners accountable. It ensures that before a cemetery—or even a portion of one—can be sold or repurposed, descendants have a meaningful voice in the final disposition of their loved ones. And when disputes arise, it gives the courts the authority to resolve them transparently.

I've spent many years researching cemetery issues and consulting with families and communities across Maryland. The problems we often think of as "historic" are still happening today. Cemeteries have been built over. Burials have been dug up and discarded. Families have been left powerless.

We've seen this before. Laurel Hill Cemetery in Baltimore once held thousands of African American burials. A few hundred were actually moved to Carroll County. The rest now lie beneath a strip-mall parking lot. That is the cost of unclear law and lack of oversight.

But this is not just the past repeating itself—it is happening today. At Rosa Bonheur Memorial Park in Howard County, the current property owner has deliberately removed memorials and human remains without notifying lot owners or descendants. Families have tried to reach him with no success. After several Maryland funeral homes refused to participate, he hired an out-of-state company to remove the burials. The state's attorney approved the process with no meaningful oversight. And now, the developer plans to build a carwash and convenience store on the front third of an existing cemetery.

This bill offers a viable solution. It clearly defines who may bring an action, who carries the burden of proof, and what steps must be followed before any cemetery land can be altered or sold. It protects families, it protects history, and it prevents exactly the kind of abuses we are still seeing today.

And progress is possible. Just today, I read that the Friends and Families of the Knoxville African American Cemetery in Frederick County were legally granted title to their cemetery property—only the second time since it was first deeded in 1893. This shows that with the right legal framework, communities can reclaim and protect these sacred places.

This bill provides clarity, accountability, and dignity for the people buried in these cemeteries and for the families who still care deeply about them.

I urge you to vote favorably on this bill with an amendment that in a dispute, the court shall pass the final judgment.