



MARYLAND
CATHOLIC
CONFERENCE

January 29, 2026

SB 233

Business Regulation – Cemeteries – Actions for Sale, Transfer, or Alternate Use

Senate Finance Committee

Position: Unfavorable

The Maryland Catholic Conference (MCC) offers testimony in opposition to Senate Bill 233. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

While we recognize **SB 233's** intention to address the preservation of burial sites, two aspects raise significant concerns for Catholic institutions and for the religious liberty protections owed to all faith communities. The expanded definition of "cemetery" blurs sacred and commercial space. SB 233 broadens the definition of "*cemetery*" to include **any structure used to conduct business related to cemetery operations**. This expansion may appear technical, but it carries real consequences.

For the Catholic Church, a cemetery is sacred ground, blessed for the reverent care of the dead and for the spiritual needs of the living. By redefining a cemetery to include administrative or commercial structures, the bill risks:

- Diluting the distinction between consecrated burial space and ordinary business property
- Expanding the scope of what may be subject to litigation, transfer, or "alternate use"
- Increasing the likelihood that sacred land becomes entangled in commercial or redevelopment pressures

This shift is inconsistent with the Catholic understanding that burial grounds are permanent sacred places, not commercial assets.

Catholic cemeteries are ministries, not businesses. They are governed by religious doctrine, pastoral practice, and canon law. SB 233 introduces new pathways for outside parties to challenge or influence how a religious cemetery is managed, transferred, or used.

This raises several religious liberty concerns:

- **Judicial review of “alternate uses”** could place courts in the position of evaluating decisions rooted in religious doctrine.
- **Expanded definitions** may subject parish or diocesan cemeteries to regulatory or legal processes designed for commercial operators.
- **Third-party challenges** could interfere with a religious community’s ability to steward its sacred grounds according to its own teachings.

The First Amendment protects the autonomy of religious institutions in matters of internal governance, including the care of their burial grounds. SB 233 risks eroding that autonomy by broadening the circumstances under which religious cemeteries may be drawn into state-supervised processes.

Cemeteries are not interchangeable parcels of land. For Catholics, they are holy places entrusted to our care, deserving of permanence and protection. SB 233’s expanded definition of “cemetery” and its mechanisms for approving alternate uses introduce uncertainty, weaken the sacred character of burial grounds, and create avoidable religious liberty concerns.

The MCC appreciates your consideration and, for these reasons, respectfully requests an unfavorable report on Senate Bill 233.