

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1351

(Delegate Rosenberg, *et al.*)

Health & Government Operations and Appropriations Finance and Budget & Taxation

Department of Health and Mental Hygiene - State Facilities - Cemeteries

This bill provides that a cemetery owned by the State and located on the grounds of a State facility maintained by the Mental Hygiene Administration or the Developmental Disabilities Administration may not be sold by the State in the event the State facility is downsized, consolidated, closed, or sold. A State-owned cemetery must be maintained by the State and marked with a monument commemorating the individuals interred in the cemetery. Any easement or right of entry to a State-owned cemetery that has been recorded with the county on or before October 1, 2004 may not be transferred or sold. Notwithstanding these provisions, a cemetery or easement or right of entry may be sold by the State if the deed includes a restrictive covenant requiring any future owner to maintain the cemetery as required by the bill.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: Any effect on Department of Health and Mental Hygiene (DHMH) expenditures beginning in FY 2005 cannot be reliably estimated but is assumed to be relatively minor.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: None applicable.

Background: Crownsville Hospital is slated to close June 1, 2004, and DHMH may sell the 630-acre campus in the future. The campus has an area known as the Crownsville Hospital Cemetery. In 1926 the first person was laid to rest, and in 1958 the last known burial took place (approximately 3,000 individuals were buried from 1926-1958). Many individuals (both children and adults) who died at the hospital and had no relatives or friends were buried in this area.

State Fiscal Effect: Unless DHMH sells a cemetery located at a State facility, DHMH general fund expenditures could increase beginning in fiscal 2005 to maintain the cemetery at Crownsville Hospital. DHMH currently provides minimal maintenance of the cemetery. Many graves in this cemetery remain unmarked and unidentified, so it is unknown how large the cemetery is, or the condition of the burial sites. Accordingly, there are insufficient data at this time to reliably estimate the extent of required maintenance or the cost of a monument commemorating the site.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2004
mh/jr Revised - House Third Reader - March 30, 2004

Analysis by: Susan D. John

Direct Inquiries to:
(410) 946-5510
(301) 970-5510