

SB1091/418679/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1091
(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “Frederick County –”; strike beginning with “Retention” in line 2 down through “Churches” in line 3 and substitute “Laws Governing Assets of United Methodist Church – Repeal”; strike beginning with “providing” in line 4 down through “church” in line 8 and substitute “repealing certain requirements for the holding of certain assets owned by a certain Methodist Church; repealing certain provisions of law providing for the effect of the absence of a trust clause in a certain deed or other conveyance executed before a certain date; repealing a certain provision of law providing for the effect of certain provisions of law on the retention of title to assets controlled by certain churches in Garrett County; and generally relating to the assets of the United Methodist Church”;

after line 8, insert:

“BY repealing

Article - Corporations and Associations

Section 5-326, 5-327, and 5-328

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)”;

and strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

After line 16, insert:

“5-326.

(Over)

All assets owned by any Methodist Church, including any former Methodist Episcopal Church, Methodist Protestant Church, Methodist Episcopal Church, South, the Washington Methodist Conference, or Evangelical United Brethren Church, whether incorporated, unincorporated, or abandoned:

(1) Shall be held by the trustees of the church in trust for the United Methodist Church; and

(2) Are subject to the discipline, usage, and ministerial appointments of the United Methodist Church, as from time to time authorized and declared by the general conference of that church.]

[5-327.

The absence of a trust clause in any deed or other conveyance executed before June 1, 1953, does not relieve or exclude a local church in any way from its Methodist connectional responsibilities or from the provisions of this part and does not absolve a local congregation or board of trustees of its responsibility to the United Methodist Church, if such an intent of the founders or the later congregations and boards of trustees is indicated by:

(1) The conveyance of the assets to the trustees of the local church or any of its predecessors;

(2) The use of the name, customs, and polity of the United Methodist Church in such a way as to be known to the community as part of this denomination;
or

(3) The acceptance of the pastorate of ministers appointed by a bishop of the United Methodist Church or employed by the superintendent of the district in which the local church is located.]

[5-328.

As to any local church in Garrett County that was affiliated formerly with the Evangelical United Brethren Church and that withdraws from the West Virginia United Methodist Conference, this part does not prevent the local church from retaining title to any assets controlled by it.]”;

and strike in their entirety lines 17 through 22, inclusive.