

# SENATE BILL 836

L2, N1

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CF HB 870

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By: **Senator McKay**

Introduced and read first time: February 2, 2024

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Abandoned Cemetery – Acquisition and Disposition**

3 FOR the purpose of authorizing the County Commissioners of Washington County to  
4 acquire by purchase or condemnation certain property on which a cemetery is located  
5 if the acquisition is for certain preservation purposes and ownership of the property  
6 cannot be determined or the organization established to operate the cemetery no  
7 longer exists; authorizing the county commissioners to transfer the property  
8 acquired by purchase or condemnation to a nonprofit organization that enters into a  
9 certain agreement; and generally relating to the authority of Washington County to  
10 acquire property on which a cemetery is located.

11 BY repealing and reenacting, with amendments,  
12 Article – Local Government  
13 Section 12–412  
14 Annotated Code of Maryland  
15 (2013 Volume and 2023 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
17 That the Laws of Maryland read as follows:

18 **Article – Local Government**

19 12–412.

20 (a) **(1)** The County Commissioners of Washington County may acquire  
21 property or any interest in property by purchase, gift, or condemnation to acquire,  
22 construct, or maintain a railroad line, if the county commissioners:

23 **[(1)] (I)** determine, by resolution, that the railroad line will help preserve  
24 and attract industry and promote economic growth in the county; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1            ~~[(2)]~~ **(II)** solicit bids and hold a public hearing in the same manner as  
2 required for other public property in the county.

3            ~~[(b) (1)]~~ **(2)**        **(I)** If the State builds or acquires a railroad line in  
4 Washington County, the County Commissioners of Washington County may contribute a  
5 reasonable amount toward the cost of the railroad line from the general funds of the county.

6            ~~[(2)]~~ **(II)** Before the county commissioners spend money under this  
7 subsection, the county commissioners shall comply with the requirements for acquisition of  
8 property for a railroad under [subsection (a) of this section] **PARAGRAPH (1) OF THIS**  
9 **SUBSECTION.**

10           **(B) (1) THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY MAY**  
11 **ACQUIRE PROPERTY OR AN INTEREST IN PROPERTY BY PURCHASE OR**  
12 **CONDEMNATION IF:**

13                            **(I) A CEMETERY IS LOCATED ON THE PROPERTY;**

14                            **(II) THE PURPOSE OF ACQUIRING THE PROPERTY IS TO**  
15 **PRESERVE THE HISTORICAL NATURE OF THE CEMETERY; AND**

16                            **(III) 1. THE LEGAL OWNERSHIP OF THE PROPERTY CANNOT**  
17 **BE DETERMINED; OR**

18                                            **2. THE ORGANIZATION ESTABLISHED TO OPERATE THE**  
19 **CEMETERY IS NO LONGER IN EXISTENCE OR HAS BEEN DISSOLVED THROUGH AN**  
20 **ADMINISTRATIVE ACTION BY A UNIT OF THE STATE.**

21                            **(2) THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY MAY**  
22 **TRANSFER PROPERTY ACQUIRED BY PURCHASE OR CONDEMNATION UNDER**  
23 **PARAGRAPH (1) OF THIS SUBSECTION TO A NONPROFIT ORGANIZATION THAT**  
24 **AGREES TO PRESERVE THE HISTORICAL NATURE OF THE PROPERTY.**

25            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2024.