

HOUSE BILL 893

C2

6lr1565
CF SB 234

By: **Delegates Hill, Boyce, Ebersole, Kaiser, Kaufman, J. Long, Ruth, Schindler, Simmons, Smith, and Stinnett**

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters and Health

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2026

CHAPTER _____

1 AN ACT concerning

2 **Business Regulation – Abandoned Cemeteries – Acquisition and Disposition**

3 FOR the purpose of authorizing a governmental unit to acquire property on which an
4 abandoned cemetery is located under certain circumstances and for a certain
5 purpose; requiring a governmental unit that acquires property under this Act to
6 make a certain effort to contact certain persons for a certain purpose; authorizing a
7 person or organization to bring an action to request the court to transfer property
8 acquired under this Act to the person or organization; and generally relating to
9 abandoned cemeteries.

10 BY repealing and reenacting, without amendments,
11 Article – Business Regulation
12 Section 5–805(a)(1) and (2)
13 Annotated Code of Maryland
14 (2024 Replacement Volume and 2025 Supplement)

15 BY adding to
16 Article – Business Regulation
17 Section 5–806
18 Annotated Code of Maryland
19 (2024 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article – Real Property

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 14–121(a)(1) and (3)
2 Annotated Code of Maryland
3 (2023 Replacement Volume and 2025 Supplement)

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

6 **Article – Business Regulation**

7 **5–805.**

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) “Abandoned cemetery” means a cemetery for which:

10 (i) 1. the organization established to engage in the operation of
11 the cemetery has been terminated, has been subject to administrative dissolution by the
12 State, or has otherwise ceased to exist; and

13 2. title has not been conveyed;

14 (ii) there is no property owner listed in the records of the State
15 Department of Assessments and Taxation;

16 (iii) the property has been condemned; or

17 (iv) no person who is legally responsible for the property can be found
18 and legal ownership of the property cannot be determined.

19 **5–806.**

20 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

22 (2) “ABANDONED CEMETERY” HAS THE MEANING STATED IN § 5–805
23 OF THIS SUBTITLE.

24 (3) “CULTURAL AFFILIATION” HAS THE MEANING STATED IN § 14–121
25 OF THE REAL PROPERTY ARTICLE.

26 (4) “DESCENDANT COMMUNITY ORGANIZATION” MEANS AN
27 ORGANIZATION WHOSE MEMBERS HAVE ANCESTORS WHO ARE INTERRED IN A
28 PARTICULAR CEMETERY OR WHO HAVE A CULTURAL AFFILIATION OR A RACIAL OR
29 ETHNIC AFFINITY WITH THE DECEASED PERSONS INTERRED IN A PARTICULAR
30 CEMETERY.

1 **(B) (1) A GOVERNMENTAL UNIT MAY, BY CONDEMNATION, ACQUIRE**
2 **PROPERTY ON WHICH AN ABANDONED CEMETERY IS LOCATED WITH THE INTENT TO**
3 **TRANSFER THE PROPERTY TO:**

4 **(I) THE DESCENDANTS OF THE DECEASED PERSONS INTERRED**
5 **IN THE CEMETERY;**

6 **(II) A DESCENDANT COMMUNITY ORGANIZATION; ~~OR~~**

7 **(III) A NONPROFIT ORGANIZATION; OR**

8 **(IV) A VETERANS' ORGANIZATION.**

9 **(2) A GOVERNMENTAL UNIT USING CONDEMNATION PROCEEDINGS**
10 **TO ACQUIRE PROPERTY UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL**
11 **CONDUCT THE CONDEMNATION IN ACCORDANCE WITH MARYLAND RULE 12-204.**

12 **(C) (1) A GOVERNMENTAL UNIT THAT ACQUIRES PROPERTY ON WHICH**
13 **AN ABANDONED CEMETERY IS LOCATED UNDER SUBSECTION (B) OF THIS SECTION**
14 **SHALL MAKE TIMELY AND REASONABLE EFFORTS AFTER ACQUISITION TO CONTACT**
15 **DESCENDANTS OF THE DECEASED PERSONS INTERRED IN THE ABANDONED**
16 **CEMETERY IN ORDER TO IDENTIFY DESCENDANTS, A DESCENDANT COMMUNITY**
17 **ORGANIZATION, OR A NONPROFIT ORGANIZATION TO WHICH THE PROPERTY MAY BE**
18 **TRANSFERRED.**

19 **(2) (I) A PERSON OR ORGANIZATION LISTED UNDER SUBSECTION**
20 **(B)(1) OF THIS SECTION MAY BRING AN ACTION REQUESTING THE COURT TO**
21 **TRANSFER PROPERTY ACQUIRED BY A GOVERNMENTAL UNIT UNDER THIS SECTION**
22 **TO THE PERSON OR ORGANIZATION.**

23 **(II) WITHIN 6 MONTHS AFTER AN ACTION IS BROUGHT UNDER**
24 **SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COURT SHALL MAKE A**
25 **DETERMINATION ON THE DISPOSITION OF THE PROPERTY.**

26 **(D) ANY DESCENDANT, DESCENDANT COMMUNITY ORGANIZATION, OR**
27 **NONPROFIT ORGANIZATION THAT ACQUIRES PROPERTY UNDER SUBSECTION (B) OF**
28 **THIS SECTION SHALL MAINTAIN AND PRESERVE THE ABANDONED CEMETERY ON**
29 **THE PROPERTY.**

30 **(E) IF A GOVERNMENTAL UNIT ~~THAT~~ ACQUIRES PROPERTY UNDER**
31 **SUBSECTION (B) OF THIS SECTION, THE GOVERNMENTAL UNIT:**

