



Historic Annapolis, Inc.  
James Brice House  
42 East Street  
Annapolis, MD 21401  
410.267.7619  
410.626.1030 Fax

January 7, 2020

Honorable William C. Smith, Jr., Chair  
Judicial Proceedings Committee  
2 East  
Miller Senate Office Building  
Annapolis, MD 21401

Dear Senator Smith,

Please accept this letter in support of Senate Bill 88, entitled Abandoned Property in Possession of a Museum.

Well-constructed abandoned cultural property laws allow cultural institutions to effectively manage the priceless community resources with which they have been entrusted. The need for a legal framework for establishing clear title for abandoned objects has been recognized by most states. Maryland, however, is one of only four states that does not have any legal process for managing abandoned cultural property.

Museum professionals throughout the state acknowledge this is a critical issue. Abandoned cultural property cannot be loaned or conserved. Not only are valuable financial and staff resources being used to store and care for objects that cannot be used, but the lack of legal recourse poses an ethical dilemma. Abandoned cultural property in museums occupies valuable space that should instead be used for objects that better fulfill a museum's mission to serve the public.

There is a simple remedy to this problem. Senate Bill 88 proposes a way to improve collections by allowing Maryland museums to establish title to property that has been donated or left with them after a loan period has terminated and the lender could not be found. The law allows more efficient use of museum funds and assists museums in conserving, displaying, and loaning abandoned, unclaimed, or unsolicited property.

Adopting the proposed policy would enable Maryland museums to more appropriately use their resources and better serve their communities. In adopting a policy and passing this legislation, Maryland will strengthen its commitment to its cultural institutions and heritage sites by correcting an under-acknowledged, yet critical, issue.

Historic Annapolis respectfully urge you to support Senate Bill 88.

Sincerely,

Robert C. Clark  
President & CEO

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