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February 25, 2025

HB 1182 - FAV

Corporations and Associations - Methodist Church Trust Requirement - Repeal

Dear Chai C. T. Wilson, Vice-Chair Brian M. Crosby, and Members of the Economic Matters Committee,

The Eighth Circuit and the high courts of seven States—Alaska, Arkansas, Indiana, New Hampshire, Oregon, Pennsylvania, and Texas—have adopted the “strict approach” to *Jones v. Wolf* (1979), the leading church property case to date. Intermediate courts in Louisiana, Minnesota, and Missouri have likewise adopted this approach in decisions that the high courts of those states declined to review. Each of these jurisdictions holds that *Jones* requires courts to resolve property disputes between religious organizations the same way they resolve property disputes between secular institutions: by applying ordinary principles of state trust and property law. Accordingly, these courts recognize a trust claimed to vest title to local real property in a national church only if the alleged trust satisfies the established rules that state law requires to create a trust. More than half of the states within the United States have determined that Methodist trust clauses for that one denomination are not enforceable.

Secular Maryland favors the repeal of denomination specific and institution specific laws. Laws narrowly focused on single institutions are unnecessary and unavoidably entangle our government with the partisan interests of particular institutions. State government should avoid such entanglements. A neutral law, unlike this law, would apply equally to all similarly situated institutions, both religious and secular. Secular Maryland requests a favorable vote on this bill.

Mathew Goldstein

3838 Early Glow Ln

Bowie, MD