



POSITION STATEMENT

Bill: HB 0724/ SB 0631 Commission on Abandoned and Neglected Maryland Cemeteries - Establishment

Position: Informational

Date: February 18, 2025

Contact: Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear: Chair Joseline A. Pena-Melnyk,

The Maryland-National Capital Park and Planning Commission (“M-NCPPC” or the “Commission”) has not taken a position on this bill. However, staff have prepared informational comments for clarification purposes.

What this Bill Does. This bill establishes the Commission on Abandoned and Neglected Maryland Cemeteries within the Office of Cemetery Oversight; and generally, relates to the Commission on Abandoned and Neglected Maryland Cemeteries.

Voting Committee Members. The Maryland Historical Trust (MHT) is known for assisting the people of Maryland in understanding historical and cultural heritage and has access to valuable data. Therefore, the sponsor may want to consider adding MHT as a voting member on the Committee.

Further Clarification on Neglected and Abandon Property.

- “Neglected” Cemetery is not defined in this legislation and appears to be at the discretion of the Commission to define.
- Using the terms “neglected” and “abandoned” interchangeably may lead to confusion. We recommend clear definitions and usage in the bill to differentiate between the two words. “Neglect” could be seen as anything from 'my neighbor doesn't mow the grass often enough' to completely abandoned with no maintenance at all.

- 'Abandoned and Neglected' are always combined in the bill. Some clarity is needed in the language to determine if the intent is only cemeteries that are both abandoned and neglected or if it means either abandoned or neglected.

Inventory and Data Clarification.

- There is unclear language in item (4) on Page 4, lines 13-19. Item (4) says: "*Support the development and establishment of a statewide inventory of cemeteries and burial sites in the state that includes: (I) Information related to abandoned and neglected Maryland cemeteries; and (II) A searchable database of information from each cemetery identified by the Commission as abandoned and neglected;*" It is unclear if the proposed commission will create and maintain the database or support another entity, (like MHT) in doing so.
- It is also unclear if the database intends to include all Maryland cemeteries or just Abandoned and Neglected cemeteries.

Interest in security at cemetery sites and enforcement.

- Abandoned and neglected cemeteries are particularly vulnerable to vandalism, theft, and other criminal activity. The legislation should clarify how any locational information that is gathered and made available, including in the statewide inventory and searchable database, will be restricted to only those parties who demonstrate a legitimate interest.
- There is no mention of enforcement or penalties.