

RBS HB 892 Testimony Febuary 23, 2026.pdf

Uploaded by: candy warden

Position: FAV

Candy Warden, President

Rosa Bonheur Society, Inc.

10240 Harvest Fields Drive

Woodstock, MD 22163

January 26, 2026

HB 892 Testimony: FAVORABLE

Sponsors: Delegates Hill, Boyce, Ebersole, Kaiser, Kaufman, J. Long, Ruth, Schindler, Simmons, Smith, Stinnett, Terrasa, and Ziegler,

My name is Candy Warden, President of the Rosa Bonheur Society, Inc. (RBS). RBS is a volunteer, nonprofit group formed to protect the Rosa Bonheur Memorial Park (RBMP), which is a human and pet cemetery with thousands of burials. The people with loved ones resting at our cemetery span across all the counties of Maryland.

Why is HB 892 Important?

Cemeteries are frequently targeted by owners and developers who view them and the concerned families, descendant communities, non-profit organizations, and community groups without respect as they have historically had little, if any, legal recourse to proposed plans. HB 892 would permit legal action to be brought that would provide judgment of appropriateness or inappropriateness of the sale, transfer, or alternate use of a cemetery. With this legislation the wanton destruction and desecration of cemeteries could be avoided.

A Case in Point

In 1978, the Rosa Bonheur Memorial Park was purchased by developer, William Green. Shortly thereafter Mr. Green founded a second pet cemetery, Green Meadows. Mr. Green continued to sell plots and funerary goods at Green Meadows, but had in reality had sold the cemetery to another developer. In 1981 the Office of Consumer Affairs filed an order against Mr. Green in violation of consumer laws. All charges were dismissed when he paid to move 125 pet's remains from Green Meadows to RBMP.

In 1996, the Office of Consumer Affairs filed civil and criminal charges against Mr. Green for deceptive trade practices and misdemeanor theft. The outcome was that he partially reimbursed RBMP plot owners for memorial services not rendered and received an 18 month suspended sentence, 100 hours of community service, and one year probation.

By 1997, RBMP had gone into receivership and was purchased by developer Gunther Tertel DBA Bonheur Land Co. LLC. At the auction for RBMP the Animal Welfare League and a multitude of plot owners were outbid by Mr. Tertel. Mr. Tertel publically stated in the media that he intended to build

various businesses on the RBMP property and subsequently closed RBMP in 2004. RBMP fell into a severe state of neglect that it has never recovered from. Families were harassed by Mr. Tertel and his representatives trying force them to remove their human and pet remains from the cemetery, so that he could develop it. In 2011, Mr. Tertel died.

From 2012 to approximately 2015 another developer, Don Reuwer, was interested in acquiring the cemetery for development. RBS worked for three years to deter the project he proposed and he eventually backed off.

From approximately 2015 to the present a developer, Mark Levy, has been seeking to develop RBMP. RBS members as per the recommendation of Calvin Ball, currently County Executive, met with Mr. Levy for three years .in an effort to reach an agreement that would protect and preserve the cemetery. At the last meeting with Mr. Levy he finally announced that his plans were to destroy the cemetery by developing on it. The meetings with him to protect and preserve the cemetery had been a ruse all along.

In 2022 and 2023, RBS was contacted twice by funeral entities about disinterring human remains on the behalf of the developer's LLCs. In 2022, Robert Anderson of Meadow Ridge cemetery cancelled a disinterment contract as none of families would agree to removal. In 2023, Ed Sagel (SBD&G Funeral Care) discovered that the situation at RBMP had been misrepresented to him and that the people buried at RBMP did have family members that opposed removal. Consequently, he declined to perform the removals.

In 2023, human graves were desecrated the week before Christmas (2023) with human remains being exhumed and relocated without the permission of families and without the direction of a funeral services professional. Pet graves were also wantonly destroyed that surrounded the human graves.

The families that suffered disinterment(s) have never been notified of the location of their loved ones' remains by the desecrator(s). Are the human remains still extant? Have they been dumped in a mass grave somewhere? Have they been thrown away? Were the remains only partially exhumed or churned into the ground? Only the desecrator(s) know the answers to these questions.

Although families paid significant amounts of money for plots, caskets, vaults, memorial markers, and other services for human and pet burials and received deeds for their plots they have been victimized by their loved ones being violated.

Who is responsible for this desecration and damage? A developer that our group met with for three years in an effort to reach a mutual agreement to protect the cemetery. The developer is hiding behind LLCs, which even the Maryland Office of Cemetery Oversight could not untangle. It has been over two years since these tragic events were perpetrated and the person(s) responsible have not been legally identified; just the LLCs.

Currently, the developer, Mark Levy, and his associates are seeking to have the Rosa Bonheur Memorial Park rezoned, so that their project Corridor Square, LLC can build a gas station, car wash, grocery, etc. on the cemetery grounds. If this rezoning is approved at least 2000 graves would be destroyed.

On September 18, 2025, a Planning Board hearing was held for Case No. ZB-1130M Corridor Square, LLC. Testimony was submitted by people with loved ones at the cemetery, the Rosa Bonheur Society,

Inc., and supporting organizations, such as, The Coalition to Protect MD Burial Sites, Inc. opposing the rezoning. Corridor Square, LLC's attorney and associates submitted a review of their plans in support of the rezoning. The Planning Board rendered an unfavorable recommendation regarding the proposed rezoning to the Zoning Board.

On October 07, 2025, the Planning Board formally recommended that the Zoning Board Case No. ZB-1130M be denied.

Due to the Planning Board's decision on February 25, 2026 the Hearing Examiner will hear the case since it falls within the authority of the Board of Appeal. The Hearing Examiner will hear and decide variances, conditional uses, nonconforming uses, and appeals of departmental administrative decisions. Decisions of the Hearing Examiner may be appealed to the Board of Appeals.

When this cemetery went into receivership (1997) there was no legislation established for families, descendant groups, non-profits, and community groups to challenge owners and developers that would desecrate and destroy their loved ones' resting places. Since 1978 the people with loved ones at RBMP have suffered: 1) Nineteen years of mismanagement and criminal abuse by William Green, and 2) over twenty nine years of threats by developers. Forty eight years of abuse that could have been ended decades ago if legislation, such as, SB 233 had been enacted. It is not too late to bring closure by honoring the socio-cultural, religious, and ethical beliefs of families, person(s) of interest, and communities by enacting the proposed legislation,

Benefits of HB 892

- Necessary legal judgment would be provided to determine the appropriateness or inappropriateness of sale, transfer, or alternate use of cemeteries.
- A voice would be provided for concerned families, descendant communities, non-profit organizations, and community groups, and support for their diverse social, cultural, ethical, and religious beliefs and how they choose to honor their dead.
- Wanton destruction and desecration of cemeteries would decrease.

Remains interred in a cemetery must at all times be treated with honor, dignity, and respect. These beliefs are normative and widely held by Constituents across Maryland. Cemetery legislation is critical to protect all Maryland gravesites.

Thank you for your kind consideration of this testimony, which is greatly appreciated.

Sincerely,

Candy Warden

Rosa Bonheur Society, Inc. (founded May 2007)

2010 Periwinkle Award Winner, Coalition to Protect Maryland Burial Sites

HB0892 written testimony new 2.pdf

Uploaded by: Christine Simmons

Position: FAV

HB0892 cross-filed with SB233- Cemeteries-Actions for Sale, Transfer, or Alternate Use-
FAVORABLE

Christine Simmons
521 West Drive
Severna Park, MD 21146
410-978-7167

This bill strengthens Maryland’s existing cemetery law by creating a clear, fair process that holds cemetery property owners accountable. It ensures that before a cemetery—or even a portion of one—can be sold or repurposed, descendants have a meaningful voice in the final disposition of their loved ones. And when disputes arise, it gives the courts the authority to resolve them. I support this version of the House bill rather than the amended version of SB233 since I believe the courts would offer stronger protections than the Office of Cemetery Oversight.

This bill offers a viable solution. It clearly defines who may bring an action, who carries the burden of proof, and what steps must be followed before any cemetery land can be altered or sold. It protects families, it protects history, and it prevents exactly the kind of abuses we are still seeing today, many of which were instigated by the Catholic church in particular.

I’ve spent many years researching cemetery issues and consulting with families and communities across Maryland. The problems we often think of as “historic” are still happening today. Cemeteries have been built over. Burials have been dug up and discarded. Families have been left powerless.

Laurel Hill Cemetery in Baltimore once held thousands of African American burials. Only a few hundred were actually moved to Carroll County. The rest now lie beneath a strip-mall parking lot. That is the cost of unclear laws and lack of oversight.

But this is not just the past repeating itself—it is happening today. At a Howard County cemetery, the current property owner has deliberately removed memorials and human remains without notifying lot owners or descendants. Families have tried to reach the owner without success. Two Maryland funeral homes refused to remove the burials before he found a third company to do the work. The state’s attorney approved the process with no meaningful oversight. Now, the developer plans to build a carwash and convenience store on the front third of the existing cemetery.

With the right legal framework, descendants and communities can reclaim and protect these sacred places. This bill provides clarity, accountability, and dignity for the people buried in these cemeteries and for the families who care deeply about them.

I urge you to vote favorably on this bill.

MCLA support of HB892 (2).pdf

Uploaded by: David Zinner

Position: FAV



February 23, 2026

Dear Chairs Kriselda Valderrama and Heather Bagnall:

The Maryland Cemetery Legislative Advocates (MCLA) ask for your support of HB892.

1. The bill clarifies the role of the court to pass a judgement when a cemetery owner proposes selling or transferring a cemetery for a non-cemetery use. The basics of the process are already enshrined in article 5-505.
2. The bill adds critical protections for the rights of descendants.
3. We believe it is important that relatives of those buried in a cemetery should “have a seat at the table” when a cemetery where their loved ones are buried is going to be sold or transferred for another use.
4. We anticipate that the protections and rights in our bill will lead to discussion, possible mediation, and hopefully an equitable resolution.

Opposition to this bill by the Maryland Catholic Conference (MCC) is confusing. On one hand the MCC writes that “a cemetery is sacred ground, blessed for the reverent care of the dead and for the spiritual needs of the living.”

At the same time they oppose a bill that protects cemeteries and those buried in them.

The MCC writes that “Cemeteries are not interchangeable parcels of land. For Catholics, they are holy places entrusted to our care, deserving of permanence and protection.”

Yet in my oral testimony I will describe at least 14 Catholic-owned

Maryland cemeteries that were sold, closed, built on, or razed between 1816 and 1986.

HB892 does not infringe upon the rights of religious organizations. It does not regulate doctrine, compel disinterment, or force alternate uses. It does not threaten religious autonomy or impose undue burdens on sacred grounds

Rather, HB892 introduces certainty through due process. It ensures that any proposal to alter a cemetery's use must justify itself against the interests of those buried there and their communities. Rather than weakening the sacred character of burial grounds, the bill strengthens and safeguards them.

The Maryland Catholic Conference is wrong in their reasoning that underlies their opposition to this bill. HB892 protects the sacredness of cemetery burials.

Please support HB892.

David Zinner for the MCLA

HB892 2026 Sponsor testimony Cemeteries Sale_

Uploaded by: Delegate Hill Delegate Hill

Position: FAV

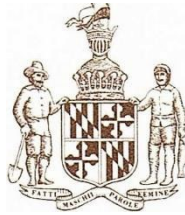
TERRI L. HILL, M.D.

Legislative District 12A
Howard County

Health and Government Operations Committee

Subcommittees

Public Health and Minority Health Disparities, Chair
Elder and Long-Term Care
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THE MARYLAND GENERAL ASSEMBLY

ANNAPOLIS, MARYLAND 21401

February 25, 2026

HB892 - Business Regulation - Cemeteries - Actions for Sale, Transfer, or Alternate Use

Chair Valderrama, Vice Chair Charkoudian, and Members of the Economic Matters Committee,

House Bill 892 establishes a clear, structured legal process when the owner of property that includes a cemetery proposes the sale, transfer, or alternate use of all or part of that cemetery for purposes that do not conform with cemetery operations.

At its core, this bill recognizes that cemeteries are not ordinary parcels of land. They are permanent places of interment, sacred spaces for remembrance, and sites of historical and cultural significance. HB 892 ensures that decisions affecting these spaces receive appropriate judicial review and community input.

Specifically, the bill:

- **Expands who may bring a court action** when a cemetery is proposed to be sold, transferred, or repurposed. Standing is granted to individuals with burial rights, descendant community organizations, preservation nonprofits, governmental units with an interest in the property, and defined “persons in interest”.
- **Places the burden of proof on the property owner** in any proceeding regarding the proposed disposition of the cemetery.
- **Request the court hear from interested parties** and then decide to allow, prohibit, or order an alternative disposition of the cemetery
- **Provides clear judicial options** if a sale is approved, including ensuring proceeds are used to remove and respectfully reinter remains and that title is conveyed free of prior claims
hb0892F
- **Authorizes the court to prevent inappropriate sales or transfers**, and if necessary, approve transfer to a descendant community organization or nonprofit that agrees to preserve and maintain the cemetery
hb0892F
- **Repeals outdated Baltimore City-specific provisions** and applies a consistent statewide framework
hb0892

The bill also modernizes definitions, including clarifying “descendant community organization” and incorporating the concept of “cultural affiliation,” ensuring that historically connected communities have meaningful recognition in these proceedings. Importantly, House Bill 892 does not prohibit the sale of cemeteries. Instead, it ensures transparency, judicial oversight, and an opportunity for affected families and communities to be heard before irreversible decisions are made. This legislation creates a balanced framework that protects burial sites, respects descendant communities, and provides clarity and predictability for property owners.

Concerns have been raised about the broadness of the “cemetery” definition within the bill. I agree to amending out the inclusion of “any structure used to conduct business related to cemetery operations.”

Cemeteries are sacred and the interned and their loved ones should have a say when legacy decisions are being considered. HB892 provides a process without a predetermined outcome. I respectfully urge a favorable report.

Terri L. Hill, M.D.

HB 892 ECM and Health CTES CBMPS 2.25.26 .pdf

Uploaded by: Eileen McGuckian

Position: FAV



House Economic Matters and Health Committees Hearing on HB892 Date: February 25, 2026

CPMBS position: FAV

Paired with SB 233

Business Regulation-- Cemeteries-- Actions for Sale, Transfer, Alternate Use

CPMBS is an all-volunteer nonprofit that since 1992 has advocated for improvement in distressful cemetery situations that occur across Maryland and for needed changes in state law. We are particularly interested in Maryland law providing processes that will benefit all cemeteries in the various situations in which historic burial sites are often found. We participate in the good work of Maryland Cemetery Legislative Advocates.

Of specific interest are Maryland cemeteries that face abandonment, threats from construction and development, and total erasure. HB892 was crafted by Maryland Cemetery Legislative Advocates to provide assurance that the views of many individuals and groups will be considered when land on which a cemetery is located is being proposed for sale, transfer, or an alternate use. Yes, this situation happens every once in a while.

Many historic cemeteries are located on larger properties, tucked into corners not used recently or lost in the woods. Without this additional proposed legal process, they will continue to be overlooked when subdivisions are planned, public hearings are set, and owners are not encouraged to consider past history and use of their land.

A more thorough process is needed to guide how persons of interest (already defined in Maryland law) would bring an action when the owner of a cemetery proposes its sale, transfer, or alternate use. HB892 defines the rights of descendant communities in a balanced approach for the treatment of cemeteries, and allows for these properties to be safeguarded when going through the courts.

While HB892 will assist all Maryland cemeteries that have been Abandoned or neglected, a goodly number of them are African American burial sites. All Maryland cemeteries and burial grounds should be protected, honored, and respected in every situation, whether peaceful or not.

Thank you for your consideration.

Hope Metzler, President
Coalition to Protect Maryland Burial Sites, Inc.
president@cpmbs.org

Coalition to Protect Maryland Burial Sites, Inc.

P.O. Box 1533 | Ellicott City, Maryland 21041 | www.cpmbs.org

Montg Pres testimony HB892 2.25.26.pdf

Uploaded by: Eileen McGuckian

Position: FAV

Health and Economic Matters Committees House Bill 892 Hearing February 25, 2026
Cross-filed with SB 233 Position: FAVORABLE

Business Regulation -- Cemeteries -- Actions for Sale, Transfer, or Alternate Use

Montgomery Preservation is a county-wide nonprofit that has for decades worked with local and state groups to advocate for cemeteries through new state laws. MPI led the project to identify every cemetery in Montgomery County and to pass local laws to protect them. In 2021-2, I served on the committee charged by House & Senate Joint Chairmen to survey citizens and study historic African American cemeteries in Maryland and recommend strategies to improve their current situations and their futures. This report noted that many properties in every county meet the definition of Abandoned because owners are unknown or missing, and others suffer from neglect or outright abuse.

Some good Maryland laws have been enacted in recent sessions -- combining forces for a State-wide list and defining the term Abandoned. The Cemetery Inventory Database workgroup delivered its report to the General Assembly on December 1, 2025; it contains excellent recommendations for implementation. This year we bring other urgent needs to your attention, with suggestions for solving persistent problems.

Helping Abandoned cemeteries is a high priority. In every corner of our State, over the years, churches closed, the congregation aged out or moved away, and the cemetery was neglected. Burial records were lost and corporate requirements were unattended to. Families sold their farms, and developers did not honor the little enclosures on the hill. Historically, many have been dismissed as unimportant and intentionally mistreated. African American cemeteries are sadly over-represented in these instances.

MPI requests your support for 2 proposals that will have a beneficial effect on all Maryland cemeteries. **HB 892** describes what should happen when cemeteries are sold, transferred, or the property turned to another use. It provides a voice to descendants and others who respect those who came before us. **HB 893** provides a reasonable pathway for jurisdictions to resolve ownership problems should they decide to take advantage of it and for willing descendants and nonprofits to uplift Abandoned cemeteries.

These bills address issues that have long been identified and will help descendants, communities, landowners, and local governments to begin resolving pressing issues. Enacting these bills will begin to address long-standing problems that exist in every Maryland county and municipality.

In recent years, we've been pleased to watch increased understanding in the General Assembly about the protection and preservation of our state's noteworthy and precious cemeteries. When supported in committee, most cemetery protection proposals have passed unanimously. We hope you will continue this commitment progress toward resolving problems that have been building for years and impact all segments and Maryland populations.

Thank you for your support.

Eileen McGuckian, President
Montgomery Preservation, Inc. www.montgomerypreservation.org
phileen3@verizon.net 301-468-7331

HB892_Silver_FAV.pdf

Uploaded by: Josh Silver

Position: FAV



Testimony of Josh Silver
Member of Bethesda African Cemetery Coalition
Before the Economic Matters Committee of the House of Delegates
Maryland General Assembly
Regarding HB 892 and HB 893
February 25, 2026

Thank you for the opportunity to testify today. My name is Josh Silver and I am a lifelong resident of Bethesda MD. I am a member of the Bethesda African Cemetery Coalition (BACC).

In my community, a parking lot was paved over a historic African American Cemetery. At least 200 bodies are beneath that parking lot. This must never ever happen again in the State of Maryland.

HB 892 and HB 893 would be essential laws in the struggle against desecration of cemeteries. They would empower descendant communities to protect their ancestors, resting in peace. Unfortunately, the Senate Finance Committee recently amended its version of these bills to make them ineffective. In fact, the new version of SB 233 could facilitate desecration.

Let me be very clear. BACC strongly supports HB 892 and supports HB 893 with an amendment. The Senate must agree to the House versions of these bills. If the Senate does not, we ask that these bills be withdrawn as they could inflict harm on our deceased ancestors.

Hubert Humphery, former Senator and Vice President, [stated](#), “The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; those who are in the shadows of life, the sick, the needy and the handicapped.” This year, Maryland elected officials should consider that humane treatment of the elderly includes the treatment of ancestors buried in cemeteries. This population is disenfranchised because they cannot defend themselves. Maryland government should provide their descendants with the means to defend them.

BACC is a coalition of concerned citizens opposed to the desecration of [Moses African Cemetery](#) on River Road in Bethesda, MD. An African American community during slavery and after the Civil War buried their loved ones in the Moses Cemetery. After the Civil War, a resilient and remarkable African American community resided on River Road. They were stone masons and farmers. They formed the Macedonia Baptist Church which remains in operation today.

Spanning several years from World War II through the 1960s, KKK violence and public sector discrimination displaced the African American community. Many of them had to surrender ownership of their homes and land and fled the River Road area. The cemetery passed into the hands of developers who built apartment buildings and commercial enterprises on top of Moses African Cemetery.

Currently, BACC is involved in litigation against Montgomery County's Housing Opportunities Commission (HOC). HOC seeks to sell the Westwood Towers apartments to a developer. The



Maryland State Supreme Court affirmed that hundreds of bodies are beneath the apartment complex and its parking lot. The Supreme Court remanded the case to the Circuit Court which is expected to render a decision soon. Meanwhile, BACC has sued 1784 Holdings over its construction of a light storage facility on another part of Moses. The developer illegally removed burial remains to a warehouse in Virginia.

In this context, BACC believes that the protections in HB 892 as introduced this session regarding the sale and transfer of cemeteries are vital for the fight against cemetery desecration. BACC has had to struggle in the court system for years to [convince the courts to hear the case](#). In contrast, HB 892 would create an expeditious process. It would provide a right of private action for a descendant community and persons of interest to bring a case before the courts. Under HB 892, a court of equity would be required to hear the case and render a decision. The court could allow the sale and transfer or prohibit it. It could require a transfer of a cemetery to a descendant community or require negotiation between the parties in the litigation.

HB 892 does not guarantee any outcome, but it provides a fair opportunity for all parties to have their day in court. It increases the chances for equitable solutions and the cessation of desecration. It is modeled on the federal [Fair Housing Act](#) and other [civil rights laws](#) empowering historically disenfranchised communities to go to court.

On February 12, the Senate Finance Committee amended its version of HB 892 (SB 233) to require that cemetery owners seek the approval of the Director of the Office of Cemetery Oversight for their proposed sales or transfers of cemeteries. If a descendant community does not agree with the Director's opinion, it can bring a case to court but the court is not required to render a decision. In BACC's experience, state and local agencies have taken no action to protect the Moses African Cemetery. BACC is leery in placing this solemn decision-making power in any state agency without guaranteed recourse to the courts.

Under the amended version of SB 233, religious cemeteries would be exempt from the approval process of the Office of Cemetery Oversight. Therefore, a descendant community could not go to court to appeal decisions of the Director of that office. There is no judicial back-up protection at all in the case of religious cemeteries. Meanwhile, owners of non-religious cemeteries would be tempted to employ clever lawyers who would claim that their cemeteries are religious and thus escape accountability.

As introduced this session, HB 893 applies in the case of abandoned cemeteries. The owners of these cemeteries have ceased operations for a variety of reasons including bankruptcy. In the case of abandoned cemeteries, a local government can acquire the cemetery for the purpose of transferring it to a descendant community or other persons of interest. If a person of interest believes the local government is not acting in good faith, the bill would allow the person of interest to file a lawsuit. However, the bill in its current form needs to be amended to require a court to render a decision.

The Senate Finance Committee [amended SB 233](#) to remove judicial protections in the cases of abandoned cemeteries. Under the new version of SB 233, vulnerable and abandoned cemeteries



would be at the mercy of local governments and the Director of the Office of Cemetery Oversight. The history of neglect and desecration of cemeteries in Maryland indicates that this oversight is insufficient. In recent months, newspaper reports have described the century-long neglect of a burial site of African American boys mistreated at a reform school in [Prince Georges County](#). Elected officials recently expressed concern and are [considering grants](#) to preserve the burial site. Likewise, the [St. Vincent Cemetery in Baltimore](#) has experienced neglect and a nonprofit organization that includes descendants has recently been refurbishing the cemetery.

BACC wants to maintain the Moses African Cemetery as a cemetery and to build a museum and memorial. This would not only benefit the descendant community but would be of immense educational benefit to the wider community. It would teach them the history of a resilient community that suffered violent discrimination but has persevered and wants to share its story of the indomitable human spirit. In their current form, HB 892 and HB 893 would provide BACC and similar communities with better opportunities to pursue these sacred missions.

As a Jew, I can attest to the history of desecration and erasure. Let us take steps to preserve and teach history, not erase it. Future atrocities are less likely to occur if we remember. HB 893 and 893 provide an opportunity for restoration and remembrance. SB 233 threatens to remove that opportunity.

Thanks for the opportunity to testify on this sacred matter.

Testimony HB0892.pdf

Uploaded by: Katie Myers

Position: FAV

Testimony in Support of HB0892

Business Regulation – Cemeteries – Actions for Sale, Transfer,
or Alternate Use

Delegate Hill

Good afternoon Chair and Members of the Committee,

My name is Katie Myers, and I am here in strong support of
HB0892.

I serve as Vice President of the Coalition to Protect Maryland
Burial Sites, and I am a native of Hoopers Island on Maryland's
Eastern Shore. My connection to this issue is both professional
and deeply personal. Cemeteries such as Anchor Hope Cemetery
and Hoopers Island Graveyard, where generations of my family
are buried, represent not only sacred resting places but
irreplaceable pieces of Maryland's history and heritage.

Too often, cemeteries become vulnerable when ownership
changes hands, corporations dissolve, or properties are sold for
alternate use. Without clear legal protections and defined
procedures, burial grounds can fall into neglect, be disturbed, or
lose the safeguards necessary to ensure perpetual care. HB0892
establishes important oversight and accountability when a
cemetery is proposed for sale, transfer, or alternative use. It
ensures transparency, court review, and consideration of
descendants and the broader community.

For rural and historic communities like those on the Eastern
Shore, cemeteries tell the story of watermen, church
congregations, and families who shaped Maryland. Once these
sites are compromised, the loss cannot be undone.

HB0892 provides clarity before crisis, protection before
damage, and dignity where it is most deserved.

I respectfully urge a favorable report.

Thank you for your time and consideration

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establishes important oversight and accountability when a
cemetery is proposed for sale, transfer, or alternative use. It
ensures transparency, court review, and consideration of
descendants and the broader community.

For rural and historic communities like those on the Eastern
Shore, cemeteries tell the story of watermen, church
congregations, and families who shaped Maryland. Once these
sites are compromised, the loss cannot be undone.

HB0892 provides clarity before crisis, protection before
damage, and dignity where it is most deserved.

I respectfully urge a favorable report.

Thank you for your time and consideration

HB892, letter to Economic Matters Committee (2-23-

Uploaded by: Mark Edwards

Position: FAV



February 23, 2026

TO: Members of the Economic Matters Committee

SUBJECT: Support HB892: Business Regulation – Cemeteries – Actions for Sale, Transfer, or Alternate Use

My name is Mark Edwards, and I am a member of the Maryland Cemetery Legislative Advocates (MCLA) and a member of the Board of Directors of Montgomery Preservation, Inc. Before I retired 5 years ago, I worked for over 46 years in the heritage preservation and cultural resource management field, including 18 years at the Maryland Historical Trust. I reside in Silver Spring, Montgomery County, Maryland.

Following the 2025 Maryland General Assembly session, advocates involved with cemeteries began meeting to share information about problems and challenges, review existing law, and to agree upon priorities for legislative changes to propose to the 2026 General Assembly. The working group includes individuals active in cemetery preservation, care, and maintenance as well as descendants, genealogists, and nonprofit organizations. These initiatives follow the survey and study requested by the Joint Chairmen and reported to the Maryland General Assembly on June 30, 2022. See the *Report on Historic African American Cemeteries to the Chairmen of the Senate Budget and Taxation Committee and House Appropriations Committee* submitted on June 30, 2022, by the Maryland Commission on African American History & Culture and the Maryland Historical Trust.

In last year's session, MCLA supported HB1354/SB1021 that would have created a mechanism for the sale of a cemetery for another use and a process of transferring ownership of abandoned cemeteries to non-profit organizations. Although this bill passed the Senate, it did not complete the entire legislative review process in the House. MCLA believes that HB1354 failed simply because of time constraints in shepherding a large number of bills through the legislative process towards the end of the legislative session.

The Maryland Supreme Court has held that sale of a cemetery does not require court review. The effect of this is that some cemeteries are sold as if they were a building or an empty lot, without taking into consideration the fact that descendants and plot owners should have a voice in this process.

HB892 calls for the establishment of a more thorough process to guide how certain "persons of interest" would bring an action when the owner of a cemetery proposes the sale, transfer, or alternate use of cemeteries. Specifically, it defines the rights of descendant communities in a new process that offers a balanced approach for the treatment of cemeteries, and provides guidance to courts on how views of multiple interests, especially members of descendant communities, will be taken into account. This legislation provides courts with the authority to weigh and consider interests, review or deny transfers, and safeguard cemetery integrity.

This new process would ensure that the voices of members of descendant communities will be heard and thoughtfully considered when the burial sites of their ancestors are involved in the sale, transfer or alternate use of land on which a cemetery is located. We believe this would be beneficial to all

Marylanders. Input from non-profit organizations with an interest in cemetery preservation would also be part of the court's determination that a sale or transfer of a cemetery is inappropriate.

This process has a number of other benefits to our citizens. Perhaps most importantly, it would maintain the historical and cultural value of cemeteries, and protect burial sites and descendant interests for the future.

In conclusion, all of Maryland's cemeteries, notably African American cemeteries and burial grounds, face erasure, abandonment, and increasing threats from construction and development. HB 892 represents an important new mechanism to ensure that the views of many individuals and groups will be considered when an owner of land on which a cemetery is located is being proposed for sale, transfer, or alternate use. I believe our goal as a state should be to do whatever we can to protect, honor, and respect these touchstones to our past in the years ahead. Passage of this legislation would greatly assist in achieving this goal.

For these reasons, I request that you support HB892. Thank you for your consideration of my request.

Mark Edwards
1204 Edgevale Road
Silver Spring, MD 20910
Mark_edwards1@verizon.net
(301) 758-8867

Testimony for Cemetary Bills.pdf

Uploaded by: Molly Carr

Position: FAV

Testimony for Cemetary Bills.

Protecting Cemeteries from Desecration

I am Molly Carr, of Cabin John, MD, a lifelong resident of Montgomery County Maryland.

I am a member of the Bethesda African Cemetery Coalition (BACC) and I support HB 892 because this bill, if it were to become law, would help protect historic African American cemeteries by establishing the right of descendant communities to go to court in Maryland if they believe their cemeteries are being desecrated. I also support HB 893 because this bill, future law, would help protect abandoned cemeteries from being desecrated as well. For this bill, HB 893, I am requesting an amendment requiring a Maryland judge to make a decision regarding any case brought before the Maryland courts by a descendant community.

The reason I am testifying in support of Cemetery protection from desecration in Maryland is as follows. I am in my 60's now and have lived here more than ½ a century, born during the Civil Rights Movement. Martin Luther King was alive and at his prime, working for racial justice, when I was born. Desegregation was in process then and was occurring in my neighborhood schools. I grew up right off of Wisconsin Ave, the road taken by President Lincoln in and out of Washington DC. This road was taken by Union Solidiers black and white to sacrifice their lives for a more just society, one that was to attempting to live up to the Ideals and Values articulated in the U.S. Constitution. I now live right off of River Road, where I recently found out about two very different historical realities in the 1800's. Maryland was a slave state until the end of the Civil War but Washington, DC was a place of sanctuary and safety for people of African descent to flee the brutality of slavery pre-civil war and during and after. Tenleytown in DC due to its U.S. military fort was a place where they could live in safety. However, River Road which "dead ends" into Wisconsin Ave, just down the hill from Tenleytown, just beyond the DC border was a community of African descent that was mostly enslaved, and there were 4 large plantations. There was a "bottom lands area" where the people of African descent were buried for at least 150 years. The people of European descent were buried up on higher ground. This "bottom lands area" was divided up into 5 parcels and sold without protection of the law to monied interests who industrialized these parcels and in the process paved it over in the 1960's despite there being very clear evidence and presence of a African Cemetary called Moses. Do I need to say that this desecration violates the Ideals and Values of the United States Constitution and our common humanitarian values of loving and honoring all people during their lives and deaths? Many of the people buried in Moses African Cemetery suffered

profoundly in life, the least we can do now is honor their humanity and return to our humanitarian values now in 2026 by restoring this sacred cemetery and create laws that prevent this from ever happening again. How many industrialized zones in Maryland were created to cover up a dark past to bring profit to those who are of the 'monied class'? Is this how we want to proceed forward into the future? Putting money and the accumulation of wealth at the expense of humanitarian values? With climate change looming, if we care about the long view of self-preservation and the preservation of humanity, we can't afford to do this any longer.

Now I mentioned two different historical realities off River Road. The other is of the Community of Gibson Grove, in Cabin John, MD where there is another cemetery associated with Moses Tabernacle off of Seven Locks Road. This community was founded after the Civil War and was able to own land and establish a church and a graveyard that was maintained and not wrongfully sold and industrialized. It was partially desecrated and paved over by the Washington beltway in the 1960's, however. Because this cemetery land was never sold and never abandoned, it had a very different fate than the fate of Moses African Cemetery on River Road. It is being restored, and the Gibson Grove Community and its descendants are being honored. This is a story of repair and possibility for recognizing wrongs of the past, but also remembering that this is our shared story, whether we come from European Colonial privilege or African Colonial enslavement. Going forward we need to recognize our common humanity; and uphold the Ideals and Values of United States Constitution of Liberty, and Justice for all. Please support the Cemetery Bills with the language that protects the sacred, burial grounds of ALL people including but not limited to European, African, Asian, Arab, Hispanic and Native American.

Thank you again for considering my testimony on this very important matter to All Marylanders here now, here in the past and for those Marylanders of the future.

HB0892 PresMD FAV.pdf

Uploaded by: Nicholas Redding

Position: FAV



PRESERVATION MARYLAND

February 25, 2026

Hon. Kriselda Valderrama
Economic Matters Committee
230 Taylor House Office Building
Annapolis, Maryland

RE: HB0892 FAVORABLE

Chairperson Valderrama,

On behalf of the staff and Board of Directors of Preservation Maryland and our thousands of statewide supporters, I thank you for the opportunity to provide written testimony in **SUPPORT of HB0892 - Business Regulation - Cemeteries - Actions for Sale, Transfer, or Alternate Use.**

Preservation Maryland is the nonprofit, statewide voice for historic preservation that harnesses the power of historic places by revitalizing and reinvesting in communities, advocating, and building the historic trades workforce for the benefit of all Marylanders. (Learn more at: presmd.org)

This bill will authorize certain persons to bring an action when the owner of a property that includes a cemetery proposes the sale, transfer, or alternate use of all or part of a certain cemetery. And require a court to take certain actions under certain circumstances. We support this legislation as we believe its passage would support cemetery preservation.

HB0892 is an important piece of legislation, and we urge a favorable report.

Favorable

Sincerely,

Nicholas A. Redding, President & CEO

Testimony in Support of HB0892.pdf

Uploaded by: Robert Stubblefield

Position: FAV

Testimony in Support of HB0892-Cemeteries for Sale, Transfer or Alternate Use

To the House Economic Matters Committee

Greetings

My name is Robert Alex Stubblefield and I am a poet, lay minister, and activist-organizer with groups such as the Bethesda African Cemetery Coalition and I am writing in full support of House Bill 0892 -Cemeteries-Actions for Sale, Transfer or Alternate use. My reasons are explained below.

I support this bill because it is inspired by the Bethesda African Cemetery Coalition's victory at the Maryland Supreme Court which gave descendant communities in Maryland not only the right to bring suit against developers and/or government agencies but also that descendant communities have the right to seek equitable relief. What this bill does is that helps continue empower descendant communities. For instance, even though it helps put in place a process in which even if a sale or transfer goes before the Office of Cemetery Oversight, that descendant communities can during the process seek judicial relief. This is important because sometimes the OCO director may or may not make the right decision on behalf of the descendant communities and judicial recourse is necessary just in case the process either stalls or becomes hostile.

The second reason why I support this bill is because it places the burden of proof on the seller of the cemetery. Often times, when developers, agencies even other church communities want to sell a property that contains a cemetery, they often times sell it without any regards to descendants. What this does is that it places the burden of proof that ensures that the seller engages in an actual effort of descendant community engagement in terms of what they want done with the cemetery, whether that is re-internment of the bodies, a memorial plaque or some sort of relief and requires a court of law to take certain actions. This is vital with the court because quite frankly courts have been the one way descendants have been able to receive some sort of justice.

In closing, this bill is necessary for descendant communities to continue to be empowered in this process in protecting the dead.

Thank you

New HB0892 Sales and Transfers.pdf

Uploaded by: Yvonne Fisher

Position: FWA

Sales, Transfers, Acquisition for an Alternate Use

HB0892

Testimony of Yvonne Fisher

Economic Matters

I am a member of the Maryland Cemetery Legislative Advocates (MCLA). Our group has extensive experience with cemetery issues.

I have also been a member of the Advisory Council for the Office of Cemetery Oversight (ACCO) for 9 years. My testimony today is **not as a representative** of the ACCO.

The Acquisitions, Sales and transfers of Cemeteries should have a more strict and procedural processes that must be documented and approved by the **Office of Cemetery Oversight**. There are no regulations or legal requirements to assure that this process does not leave room for abuses and illegal use of a cemetery. This also does not assure notification of to all descendants of the entered.

Case in point, if you purchase a cemetery that has large amount of land that appears to be unused that land will require to have an ecological, ground penetrating and or other types of surveys to assure that there are no burials there before ground can be disturbed or a structure can be erected.

Purchasing an existing Cemetery with structures presently on the property should also be required to preform ground penetrating surveys. This should occur to assure that the structure was not built on a part of the original cemetery grounds.

There should be a requirement that the **current owner/s** or **purchasers** must inform every family of the loved one/s that are interred in the cemetery of **all** proposed sale or transfers of ownership and or construction. This will give the families time to make inquiries and obtain information about the new proprietors and their proposed changes to the cemetery. If there are any.

It is to the benefit of everyone in the State of Maryland to be assured that their loved ones are protected from any form of abuse and or neglect that may result by the sale or transfer that has not been communicated to them. If there are no legal procedures this could possibly result in situations that would negatively affect the families of those individuals that are interred.

No one thinks about their last resting place daily, but we do think about our loved ones and their last resting place. Those individuals are not here to protect themselves, so it is imperative that we protect their last resting place by assuring that there are legal requirements and procedures that will ultimately protect them of any changes in the use of the land where they are now laid to rest.

We must assure that there are procedures and processes are in place for not only those who have passed away and are now interned in a cemetery but for all of us who someday will be in that position.

The industry of buying and selling cemeteries that may or may not have registered owners will continue to evolve. As citizens of the State of Maryland, it is our responsibility to assure that the laws and regulations proposed are focused on those who are among the living but we also must be the protectors for those who are not able to protect themselves.

HB892_HOC_Unfavorable.pdf

Uploaded by: Irma Washington

Position: UNF



**Housing Opportunities Commission of Montgomery County
Position Statement**

HB892 (SB 233)

Business Regulation –Abandoned Cemeteries – Acquisition and Disposition

House Committee on Economic Matters & Committee on Health

Position: Unfavorable

The Housing Opportunities Commission (HOC) is Montgomery County’s Public Housing Authority and Housing Finance Agency, established by the State of Maryland and the County in 1974 to provide affordable housing for low-and moderate-income families. We serve over 20,000 families by providing rental assistance through federal, state and local vouchers; low-cost mortgages and down-payment assistance to qualifying first-time homebuyers; and financing, developing and preserving rental housing which we own and operate.

HOC respectfully submits its strong opposition to HB892 as introduced because it creates an unnecessary and burdensome new court procedure for managing disputes over cemeteries, disregarding a well-established framework for regulating cemeteries through licensing and strict controls in the development process. As this body is aware, the State is facing a tremendous housing crisis that requires the production of housing at a pace that far exceeds the current pipeline. This legislation has the potential to unintentionally create a new venue to stall or impede development, potentially significantly reducing the ability of organizations like HOC to preserve and produce new affordable housing.

The Senate’s amended version of SB233 avoids these unintentional consequences by focusing on improving the existing regulatory structures, rather than creating a broad new cause of action to supplant the established framework for regulating the redevelopment of cemeteries and burial grounds.

As introduced, HB892 would create a new set of property rights in descendents and a broad class of community organizations claiming to represent them. These individuals or organizations could challenge *any* transfer or sale of *any* property. This does not just impact sales of the property, but easements, rights-of-way, or even the ability to obtain financing secured by the property. The burden of proof would then be on the owner to demonstrate that the transfer is in the interest, not of all parties, but solely of the group that brought the challenge. If the owner cannot prove that the plaintiff is wrong about their own interests, then

the judge “shall” transfer ownership of the property to the plaintiff, apparently without compensation. Such a potential taking raises significant constitutional concerns.

Existing laws already regulate the operation of, and disputes related to, the location or treatment of cemeteries and burial grounds, including mechanisms for community involvement and input. These protections are appropriately focused on the *use* of the property, rather than its ownership. The Senate’s amended version of SB233 respects this distinction and rightfully avoids these difficult issues.

HOC is submitting testimony on this issue because we have had first-hand experience with the careful balance needed to honor the past while serving the present. In 2017, HOC purchased Westwood Tower, a property in the Westbard section of Bethesda. HOC was enthusiastic about the prospect of preserving this rare source of affordable housing in a very high-cost neighborhood. Constructed in the 1960s, Westwood Tower provides 212 homes and the opportunity to build more.

A potential historic burial ground was identified by County planners, but without clear evidence of where, or even whether, any remains are located today. HOC committed to work with the community to respectfully memorialize the site without displacing the 212 families that live there today.

Unfortunately, litigation over the property is ongoing and now approaching its fifth year. In the meantime, this has prevented HOC from renovating, redeveloping, or transferring the property, even with deed restrictions preserving affordability and ensuring that the appropriate process for archeological examination and memorialization are followed. Since no bank will secure a loan against a property on which they cannot foreclose, HOC has faced challenges financing maintenance and repairs on the property.

HOC is sensitive to the weight of the history of racial inequality in Montgomery County. Through our work in historically African-American communities like Emory Grove and Tobytown, we have worked proactively with community leaders to understand and rectify the mistakes of the past while also considering the needs of the people who live in our communities today. But because, as introduced, this bill does not adequately balance the needs of the present, we respectfully urge an unfavorable report.

Maryland Catholic Conference_HB892_UNFAV.pdf

Uploaded by: Jenny Kraska

Position: UNF



MARYLAND
CATHOLIC
CONFERENCE

February 25, 2026

HB 892 Business Regulation – Cemeteries – Actions for Sale, Transfer, or Alternate Use
House Economics Matters Committee
Position: Unfavorable

The Maryland Catholic Conference (MCC) offers testimony in opposition to House Bill 892. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

While we recognize HB 892's intention to address the preservation of burial sites, two aspects raise significant concerns for Catholic institutions and for the religious liberty protections owed to all faith communities. The expanded definition of "cemetery" blurs sacred and commercial space. HB 892 broadens the definition of "cemetery" to include any structure used to conduct business related to cemetery operations. This expansion may appear technical, but it carries real consequences.

For the Catholic Church, a cemetery is sacred ground, blessed for the reverent care of the dead and for the spiritual needs of the living. By redefining a cemetery to include administrative or commercial structures, the bill risks:

- Diluting the distinction between consecrated burial space and ordinary business property
- Expanding the scope of what may be subject to litigation, transfer, or "alternate use"
- Increasing the likelihood that sacred land becomes entangled in commercial or redevelopment pressures

This shift is inconsistent with the Catholic understanding that burial grounds are permanent sacred places, not commercial assets. Catholic cemeteries are ministries, not businesses. They are governed by religious doctrine, pastoral practice, and canon law. HB 892 introduces new pathways for outside parties to challenge or influence how a religious cemetery is managed, transferred, or used. This raises several religious liberty concerns:

- Judicial review of "alternate uses" could place courts in the position of evaluating decisions rooted in religious doctrine.
- Expanded definitions may subject parish or diocesan cemeteries to regulatory or legal processes designed for commercial operators.
- Third-party challenges could interfere with a religious community's ability to steward its sacred grounds according to its own teachings.

The First Amendment protects the autonomy of religious institutions in matters of internal governance, including the care of their burial grounds. HB 892 risks eroding that autonomy by broadening the circumstances under which religious cemeteries may be drawn into state-supervised processes. Cemeteries are not interchangeable parcels of land. For Catholics, they are holy places entrusted to our care, deserving of permanence and protection. HB 892's expanded definition of "cemetery" and its mechanisms for approving alternate uses introduce uncertainty, weaken the sacred character of burial grounds, and create avoidable religious liberty concerns.

The MCC appreciates your consideration and, for these reasons, respectfully requests an unfavorable report on House Bill 892.

HB 892 - ECM 02-25-2026 - MDCCA OPP.pdf

Uploaded by: John Stierhoff

Position: UNF



February 25, 2026

The Honorable Kriselda Valderrama
Chair, House Economic Matters Committee
231 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

Re: HB 892 – Business Regulation – Cemeteries – Actions for Sale, Transfer, or Alternate Use

Dear Chair Valderrama:

I am writing on behalf of the Maryland Cemetery and Cremation Association (“MDCCA”) in opposition to House Bill 892 out of concern regarding the proposed cumbersome and unrealistic process requirements.

Founded in 1916, the Maryland Cemetery and Cremation Association represents the shared interests and concerns of professionals across the spectrum of Maryland’s “deathcare” industries.

While it is suggested that House Bill 892 is a reintroduction of HB 1354 of 2025, it is in fact dramatically different. Among other things, the proposal authorizes specific persons to bring an action when the owner of a property that includes a cemetery proposes the sale, transfer, or alternate use of all or part of a certain cemetery; provides that the owner of the property that includes the cemetery has the burden of proof in any proceeding regarding the disposition of the property and the cemetery; and requires a court to take specific actions.

MDCCA recognizes and supports the issues raised by the proponents of House Bill 892 including whether concerns of the descendent community are recognized; the cultural and historical significance of cemetery property; costs associated with the disinterment and reinternment of human remains or pet remains, and who should bear the cost; and issues related to the purchase of an abandoned cemetery, and protecting those cemeteries from commercial development.

However, the new process proposed pursuant to House Bill 892 creates an unreasonable burden on the affected cemetery properties. The existing legal rights afforded impacted parties under current law are substituted with an overly cumbersome process, and oversight by the Office of Cemetery Oversight is completely removed.

As you know, the Office of Cemetery Oversight was established in Title 5 of the Business Regulation Article of the Maryland Annotated Code by the Maryland Legislature in August 1997. It was placed under the regulatory authority of the Department of Labor. The Office provides high standards of performance in the deathcare industry; enhances healthy economic competition; promotes consumer confidence in burial goods, products, and services; and provides structure and oversight to the pre-planning arrangements. The Office provides a responsive complaint/resolution process for consumers and operates a fair and effective regulatory enforcement system for cemeteries, monument dealers and sellers of burial goods, and crematories that are subject to its regulatory authority.

Maryland Cemetery & Cremation Association
c/o Garden of Remembrance Memorial Park
14321 Comus Road ♦ Clarksburg, Maryland 21871 ♦ (301) 428-3000 ♦ info@mdcca.org



The primary objective for the Office is to register and monitor Maryland's sole proprietorships, individuals, partnerships, corporations and limited liability companies operating cemeteries, as well as businesses providing burial goods and services to consumers, including monuments and memorials. The Office also regulates and provides registration for crematories under its jurisdiction in the state.

Responsibilities of the Office include the investigation and mediation of consumer complaints involving registrants and permit holders. To protect Maryland citizens from unfair and unscrupulous practices, the office determines and enforces the ethical standards related to the operation of cemeteries and those related to the provision of burial goods and services within the state.

The MDCCA recognizes that the Office of Cemetery Oversight is a small, special-funded unit, with a small staff. Nevertheless, House Bill 892 seeks to undermine the oversight that has successfully been achieved over the last 30 years.

It is important to note that under existing law, religious and nonprofit cemeteries operate independently of the Office of Cemetery Oversight, a distinction that acknowledges the unique mission of faith-based and nonprofit cemetery operators, which are often maintained for religious and charitable purposes rather than commercial interests. Including these cemeteries under the proposal could set a troubling precedent for state oversight of religious institutions.

Additionally, subjecting religious cemeteries to state oversight in matters of sale or transfer would raise First Amendment concerns about religious liberty and autonomy.

House Bill 892 would appear to allow the taking of private property without any guardrails or guidelines. Definitions are vague, and often overly broad. These definitions give little guidance to the property owner, or to the owners of burial lots sold in the burial ground.

MDCCA believes that the goals of House Bill 892 would be more fully achieved if all interested parties convened during the legislative interim to study the impact and implementation of this proposal.

The Maryland Cemetery and Cremation Association respectfully requests the House Economic Matters Committee to study the impact of House Bill 892 and we offer our association and lay leaders representing nearly fifty Maryland cemeteries to assist and participate in that study.

Sincerely,

Glenn S. Easton
President

cc: Members, House Economic Matters Committee

HB892 _MD Labor_Letter of Information.docx.pdf

Uploaded by: Andrew Fulginiti

Position: INFO

MARYLAND DEPARTMENT OF LABOR LETTER OF INFORMATION ON HB 892

TO: House Economic Matters Committee
FROM: Deborah Rappazzo, Executive Director, Cemetery Oversight
DATE: 02/25/2026
Re: Letter of Information – HB 892 Business
Regulation-Cemeteries-Actions for Sale, Transfer, or Alternate Use

The Office of Cemetery Oversight (OCO), within the Division of Occupational and Professional Licensing, provides the following information regarding House Bill 892.

HB 892 would authorize certain persons to bring an action when the owner of property that includes a cemetery proposes the sale, transfer, or alternate use of all or part of the cemetery in a manner that does not conform with continued cemetery operations. The bill requires court review and authorizes the court to approve, prohibit, or order an alternative disposition of the cemetery.

The bill is intended to provide additional protections for cemetery properties by establishing a judicial process to review proposed sales, transfers, or alternate uses.

HB 892 provides for notice to, and involvement of, multiple categories of persons authorized to bring an action, including persons with burial rights, descendant community organizations, nonprofit organizations, governmental units, and a “person in interest” as defined in § 14–121 of the Real Property Article. However, while “person in interest” is defined elsewhere in statute, the bill does not define or use the term “interested party,” which may create ambiguity regarding who is entitled to notice under the bill.

While OCO does play a role in the oversight of public cemeteries, OCO does not believe this proposed legislation would directly impact OCO’s operations or authority.

The Office of Cemetery Oversight respectfully submits this information for the Committee’s consideration in its review of House Bill 892.

For questions, please contact Andrew Fulginiti, at **Andrew.Fulginiti@maryland.gov**

SB 233_ HB892 Business Regulation-Cemeteries-Acti

Uploaded by: Deborah Rappazzo

Position: INFO

MARYLAND DEPARTMENT OF LABOR LETTER OF INFORMATION ON HB 892

TO: Senate Finance
FROM: Deborah Rappazzo, Executive Director, Cemetery Oversight
DATE: 02/25/2026

Re: Letter of Information – HB 892 Business Regulation-Cemeteries-Actions for Sale, Transfer, or Alternate Use

The Office of Cemetery Oversight (OCO), within the Division of Occupational and Professional Licensing, provides the following information regarding House Bill 892.

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HB 892 provides for notice to, and involvement of, multiple categories of persons authorized to bring an action, including persons with burial rights, descendant community organizations, nonprofit organizations, governmental units, and a “person in interest” as defined in § 14–121 of the Real Property Article. However, while “person in interest” is defined elsewhere in statute, the bill does not define or use the term “interested party,” which may create ambiguity regarding who is entitled to notice under the bill.

The requirement for court approval may delay property transactions involving cemeteries and may increase legal costs for cemetery owners and prospective purchasers.

In circumstances where a cemetery owner lacks the resources to continue maintenance, the expense and duration of litigation may impede the transfer of ownership, potentially increasing the risk of neglect or abandonment.

While OCO does play a role in the oversight of public cemeteries, OCO does not believe this proposed legislation would directly impact OCO's operations or authority.

The Office of Cemetery Oversight respectfully submits this information for the Committee's consideration in its review of House Bill 892.

For questions, please contact Andrew Fulginiti, at **Andrew.Fulginiti@maryland.gov**