

Senate Finance Committee SB 0234 Hearing Jan. 29, 2026 FAVORABLE

I write on behalf of Montgomery Preservation to request your favorable vote on this important bill. It addresses the long-standing problem of Abandoned Cemeteries, a title that describes too many Maryland properties and 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.

One of the most common causes of Abandonment is unknown ownership. Without proven, recorded ownership, it is impossible to take steps to resolve problems or to even organize a clean-up, be officially recognized, apply for a grant. I currently serve on the boards of two small historic cemeteries that were terribly neglected for decades; generous attorneys and determined descendants stepped up to sort out ownership and update land and tax records so maintenance and restoration could begin.

SB 0234 provides a mechanism to enable transfer of title of Abandoned cemeteries to Counties and Municipalities for eventual ownership by descendants or non-profit organizations who agree to preserve and maintain them. This law would enable -- not require -- government entities to assist when there is no owner to deal with.

Three examples will illustrate: A cemetery in Washington County was discovered by neighbors and volunteers, who earned admiration but alas with unclear ownership can only go so far. The Friends group is willing and prepared; missing is a pathway -- a legal mechanism -- for this group to take on ownership. Another is in Montgomery County, where government could only slightly assist descendants whose church cemetery was partly paved over by a public road. And another is Forest Hills Memorial Gardens in Clinton, for which SDAT acknowledges no owner.

New England towns are well known for taking responsibility for needy cemeteries. I can report that a few Maryland towns took over ownership and maintenance --- Chesterfield Cemetery in Centreville and Old Berlin Cemetery in Brunswick. Other states have tackled this problem. New York, South Carolina, and Georgia are three that authorize willing counties and municipalities to act where owners are not known or interested. Maryland jurisdictions need this option too!

Last May, after waiting in a long line to join Gov. Moore at bill-signing, our group of advocates reflected how much more citizen supporters and bi-partisan legislators have come to recognize the import of cemetery preservation to Marylanders everywhere.

Our group and many other advocates urge you to approve both bills. They will be welcomed by willing Marylanders who envision a future for these needy sites matched with those who care about them. Thank you for your consideration.

Eileen McGuckian, President
Montgomery Preservation, Inc.
11807 Dinwiddie Drive, Rockville, MD 20852
phileen3@verizon.net 301-468-7331