

Testimony in Support of SB172 Corporations and Associations – Methodist Churches – Trust Requirement Repeal and Disaffiliation

Chairman Wells and Members of the Committee,

For 162 years, our congregation has served the Upperco community of Baltimore County. We built our church with our own resources. Our deeds are in our name alone, with no mention of the Baltimore-Washington Conference. In 1999, we independently funded a \$620,000 expansion—the Conference declined to contribute a single dollar. Now, Maryland law allows the Conference to demand \$630,000, fifteen times our annual budget, to retain property we solely own and funded or forfeit everything.

I respectfully urge your support for SB172, which replaces this inequitable provision with a fair, transparent framework: ownership follows documented investment.

What This Bill Is—and What It Is Not

SB172 is a civil property rights bill. It addresses who owns real estate based on who paid for nothing more, nothing less.

It is not about theology, doctrine, or ecclesiastical governance. Our denomination has every right to set its theological direction, to ordain whom it chooses, and to define its positions on social issues. We do not challenge that authority, and this bill does not touch it.

What we challenge is this: a denominational body claiming ownership of property it never funded, based on a statute that contradicts our deeds and retroactively imposes obligations we never agreed to. SB172 uses neutral, objective criteria—deeds, receipts, financial records—that apply equally regardless of theology.

Our Church's Experience

Our building has been funded, built, and maintained solely by our members. Our deeds contain no trust language and no reference to the Baltimore-Washington Conference. The Conference has made no capital investment in our facility.

In 1999, we undertook a \$620,000 expansion. We approached the Conference for support and were turned away. We completed the project independently.

We fully support paying our fair share upon disaffiliation, unpaid apportionments, clergy salaries, pension obligations. That is reasonable and appropriate. What is unconscionable

is a demand for \$630,000, fifteen times our annual budget, to retain property the Conference never funded, never built, and never maintained. That figure represents more than most of our members will earn in a decade.

SB172 Protects Property Rights Using Neutral Legal Principles

SB172 honors the principle established by the U.S. Supreme Court in *Jones v. Wolf* (1979): civil courts and by extension, civil legislatures can resolve church property matters using neutral principles of law. Decisions rest on deeds, financial records, and objective documents, not theological doctrine or denominational preference.

The legislation does not determine who is right or wrong in any church dispute. It ensures that ownership follows contribution the same standard Maryland applies to every other property dispute.

SB172 Protects Congregations Across the Ideological Spectrum

This framework is ideologically neutral. A liberal congregation that built its own facility has the same claim to ownership as a conservative one. A denomination moving rightward has no more right to seize progressive churches' property than one moving leftward has to seize conservative property.

SB172 ensures that all Maryland congregations, regardless of theology, retain what they built when institutional relationships change.

Addressing the Opposition's Central Arguments

"This interferes with the First Amendment"

SB172 addresses only civil property ownership. Civil courts have long resolved property disputes between religious organizations using neutral principles, as affirmed in *Jones v. Wolf*. The First Amendment protects religious belief and practice. It does not grant denominational bodies the power to seize locally-funded property through statutory fiat.

"You knew the rules when you joined"

This argument fundamentally mischaracterizes what happened. Our congregation was founded in 1862—114 years before the 1976 statute. Our deeds contain no trust language.

No trust was ever disclosed to us, recorded against our title, or agreed to in any document we signed.

The 1976 provision did not change our deeds. It did not require us to acknowledge or accept a trust. It simply declared, by legislative act, that property we already owned was now subject to a denominational claim we had never consented to. That is not a rule we knew and accepted. It is a rule imposed on us without our knowledge, without our signature, and in direct contradiction of our recorded title.

Knowing that a denomination has internal rules is not the same as consenting to surrender property rights that predate those rules by over a century. And when Maryland law allows an organization to claim property based on statutory presumption that overrides clear deed language, the legislature created an injustice. Correcting an unjust law is not undemocratic it is precisely what legislatures exist to do.

"This will destabilize church property rights"

SB172 creates clarity, not instability. Ownership follows documented financial contribution, verified through deeds and financial records. This is more stable than the current system, which generates costly litigation and bitter disputes over what the documents plainly show.

Why This Matters Beyond Our Congregation

Rural congregations like ours often lack the resources of urban churches. A \$630,000 demand is impossible. A wealthier congregation facing the same percentage might manage it. SB172 eliminates this inequity by basing obligations on actual financial contribution, not property assessments that favor the powerful over the vulnerable.

These buildings serve as community centers, daycare facilities, polling places, and disaster shelters. When exit fees are prohibitive, buildings may sit empty rather than continue serving communities under new leadership. That harms not just congregations, but entire communities.

Conclusion

SB172 is a return to fundamental fairness. Ownership follows investment. Deeds mean what they say.

For 162 years, our congregation has been faithful stewards. We have paid our dues, maintained our property, and served the Upperco community. We are not asking for a gift. We are asking to keep what we have already paid for what our deeds clearly show we own.

A statutory trust imposed in 1976 cannot justly override deeds that predate it by decades and contain no such language. A Conference that contributed \$0 to our \$620,000 expansion cannot justly demand \$630,000 to "let" us keep what we built.

This is not a question of theology. It is a question of civil law and civil law should be based on facts, not hierarchy.

I would ask for a favorable vote on SB172.

Thank you for your consideration.

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