

Written Testimony in Support of SB172

Corporations and Associations - Methodist Churches - Trust Requirement Repeal and Disaffiliation

Chairman Smith and Members of the Committee,

For 162 years, our congregation has served the Upperco area 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 with no Conference support.

Now, Maryland law allows the Conference to demand \$630,000 to retain property we solely own and funded, fifteen times our annual budget, 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 it, nothing more.

It is not about theology, doctrine, or governance. We are not asking the State to referee internal church matters. Our denomination has every right to set its theological direction. We do not challenge that authority, and SB172 does not touch it.

What we challenge is this: a denominational body claiming ownership of property it never funded, based on a statute that overrides deeds and imposes retroactive obligations.

Whether a church leaves due to theology, finances, or realignment is irrelevant. The legal question is: Should Maryland law allow an organization to seize property it didn't pay for?

SB172 says no, using neutral, objective criteria like deeds, receipts, and financial records, equally applied regardless of theology or politics.

Our Church's Experience: When Institutional Power Overrides Ownership

We have funded, built, and maintained our building for 162 years. The Conference made no capital investment. Our deeds contain no trust language, no denominational claim.

When we expanded in 1999, we requested Conference help and were declined. We completed it ourselves.

Despite limited resources, we've paid apportionments, supported clergy, and maintained our property. When disaffiliation became an option, we were ready to pay our fair share: unpaid apportionments,

clergy salaries, pensions.

What we cannot pay, and should not be asked to, is \$630,000 to retain property the Conference never funded, never built, never maintained.

Now, even disaffiliation has been closed, leaving us no path forward unless the law changes.

SB172 Applies Neutral Legal Principles

SB172 aligns with *Jones v. Wolf* (1979), which affirms that civil courts, and legislatures, can resolve church property disputes using neutral principles of law: deeds, financial records, not theology.

SB172 doesn't decide who's right in a church dispute. It ensures ownership follows contribution.

If the Conference contributed financially, it should be reimbursed. If not, it should not claim ownership through hierarchy.

This is how Maryland resolves every other property dispute. SB172 simply applies that same fairness to churches.

SB172 Protects All Congregations

This bill offers a fair model for churches statewide: conservative congregations, progressive ones, and those facing hardship or merger.

Property rights aren't ideological. If a congregation funded its property, its theology shouldn't dictate ownership. SB172 ensures universal protection grounded in fairness.

Addressing Concerns

This does not interfere with religious freedom. It protects both the denomination's rights and the congregation's rights to depart without forfeiting funded property.

The 1976 law was passed in another era. Updating unfair laws is what legislatures are supposed to do.

Our church was founded in 1862. The trust clause came 114 years later. We never agreed to it.

SB172 brings clarity, not instability. Objective ownership, based on contribution, is the fairest standard.

Why This Matters

Flat property-value fees disproportionately harm small, rural churches. Our \$630,000 fee is fifteen times our budget.

These buildings serve entire communities. Empty buildings due to forced forfeiture help no one.

SB172 preserves ministry continuity and reduces litigation by relying on deeds and receipts, not hierarchy.

We support paying pensions. That obligation is distinct from surrendering funded property.

Maryland has the chance to lead with fairness.

Conclusion

SB172 restores fairness. It ensures deeds mean what they say, and that ownership follows investment.

We are not asking for a gift. We are asking to keep what we paid for, and what our deeds show is ours.

Without SB172, Maryland law enables property seizure through hierarchy instead of evidence.

This is not about theology. It is about civil law. And civil law should be fair.

Please support SB172. It is narrow, respectful, essential, and right.

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