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Calvert and Prince George's Counties

Environment and Transportation  
Committee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

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Madam Chair, Madam Vice Chair, and Members of the Judiciary Committee,

House Bill 426, *Petition for Guardianship of the Property of an Alleged Disabled Person – Stay of Civil Actions and Proceedings*, strengthens Maryland's adult guardianship framework by providing a limited, court-managed pause in certain civil proceedings while a guardianship petition is pending. This legislation previously received unanimous support in the House and reflects a measured, bipartisan approach to protecting vulnerable Marylanders.

As the Committee considers this bill, it is critical to recognize the risks faced by individuals who are legally incapacitated yet subject to fast-moving civil actions. Evictions, tax sales, and creditor proceedings can advance more quickly than the guardianship process itself, resulting in irreversible harm before legal authority can be established.

HB 426 establishes a narrow, temporary stay similar in structure to the automatic stay used in bankruptcy proceedings. The stay allows time for the court to appoint a temporary or permanent guardian who can lawfully manage finances, stabilize housing, and protect assets. The stay is time-limited, includes mandatory court oversight and communication requirements, and automatically lifts once a guardian is appointed or the petition is denied.

Consider a homeowner with dementia who falls behind on property taxes despite having sufficient equity and resources to cure the delinquency. Cognitive impairment prevents timely action, and without a temporary stay, the individual may lose their home before a guardian can intervene. HB 426 provides the court with a tool to prevent that outcome. Similarly, an individual living alone with dementia may face eviction for unpaid rent while family members seek guardianship authority. Maryland's expedited eviction process often continues during that period, resulting in displacement and housing instability. This bill allows for a short, structured pause so legal authority can be established before eviction occurs.

HB426 does not halt proceedings indefinitely, nor does it remove judicial discretion. Instead, it ensures that civil actions do not outpace the legal process designed to protect individuals who are unable to protect themselves.

For these reasons, I respectfully urge the Committee to issue a favorable report on House Bill 426. Thank you for your time and consideration.

Very Truly Yours,

*Jeffrie E. Long, Jr.*  
Delegate Jeffrie E. Long, Jr.