

## CHAPTER 75

(House Bill 39)

AN ACT to repeal and re-enact, with amendments, Section 10 of Article 33A of the Annotated Code of Maryland (1957 Edition), title "Eminent Domain", relating to the publication of notice in condemnation of ~~land for~~ cemeteries.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 10 of Article 33A of the Annotated Code of Maryland (1957 Edition) be and it is hereby repealed and re-enacted with amendments, to read as follows:

10. *Cemeteries.*

(a) *Before State, county or city authorities or their agents file a petition to acquire by condemnation any property that is used as a cemetery, either public or private, they shall give public notice by publication in some newspaper published in the county where the lands or property sought to be condemned may be, or if such lands or property lie within the city of Baltimore by publication of such notice in Baltimore City. Such publication shall be made at least once a week for three successive weeks in some newspaper published in the county or Baltimore City. THE NOTICE SHALL CONTAIN A DESCRIPTION AND THE LOCATION OF THE CEMETERY BEING CONDEMNED.*

[(a)] (b) Whenever state, county or city authorities, or their agents, shall for any public purpose or purposes have the right to acquire, or proceed by the power of eminent domain to acquire, property that is used as a cemetery, either public or private, the Jury shall, in assessing damages for said land and improvements so acquired or to be acquired, take into consideration in addition to the damages for said land and improvements the cost of removal of bodies, markers and monuments, and the placing of the same at some other suitable or comparable location within the State of Maryland to be provided by the authorities of the cemetery discontinued, and such removal and placing to the location chosen as above provided shall be effected by the authorities of the cemetery discontinued or their agents, before payment is made of the portion of the damages assessed for such purposes. Damages to be assessed in favor of any owner who elects to remove a body, marker or monument to any location other than that chosen as above provided shall be in the same amount as if the body, marker or monument had been removed to the said specified location.

[(b)] (c) Whenever State, county or city authorities, or their agents, shall for any public purpose or purposes have the right to ~~acquire, or proceed by the power of eminent domain to acquire, or~~ ACQUIRE, OR proceed by the power of eminent domain to acquire, property that is used as a church or place of worship, the jury, in assessing damages for said church or place of worship so acquired or

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.