

**SB 0429 Written testimony of Anthony C. Coe.pdf**

Uploaded by: Anthony Coe

Position: FAV

**Written testimony of Anthony C. Coe, Vice Chancellor of the Episcopal Diocese of Washington in support of SB 0429, entitled “Corporations and Associations— Protestant Episcopal Church, Diocese of Washington”.**

SUPPLEMENTAL TESTIMONY: The written testimony of John K. Van De Weert, Chancellor of the Episcopal Diocese of Washington states the major points supporting SB 0429. This testimony does not restate or address each point in that testimony, but is supplemental.

CORPORATE PROBLEMS: There are 51 Episcopal church parishes in Maryland that have difficulties in routine corporate functions, such as opening bank accounts, applying for grants, and establishing documentation of incorporation because those corporations are still governed by the Maryland Vestry Act (1798) which is not part of the Maryland Annotated Code. There is even confusion in the administration of corporate laws with respect to those corporations by State agencies because of the oddity of this uncodified statute.

AFFECTED CORPORATIONS: SB 0429 only affects the 51 Episcopal church parishes that are located in the four Maryland counties making up the Washington, DC suburbs and extending into Southern Maryland. Those church parishes are incorporated by operation of law under the Maryland Vestry Act and do not receive the same documentation as religious corporations under the Maryland Annotated Code.

REASON FOR THE VESTRY ACT: The churches in the American colonies that later became “The Protestant Episcopal Church of the United States of America” were a part of the Church of England whose head was the King of England. After the Revolutionary War and independence from the King, there was considerable confusion about secular matters for those churches, such as property rights. For example, in Maryland Samuel Chase and William Paca were on the vestry of St Anne’s Church (the Episcopal church in the circle next to the State House) in 1776 and were involved in the issue. The Maryland Vestry Act was enacted to address secular problems unique to those churches that were formerly headed by the King. In 1976 and 1990 the General Assembly repealed the Vestry Act with respect to those Episcopal churches in the Diocese of Maryland and the Diocese of Easton, but left it applicable to the 51 remaining Maryland churches in the Diocese of Washington.

PURPOSES OF REPEAL AND AMENDMENTS: SB 0429 repeals the remaining provisions of the Vestry Act and makes the 51 church corporations located in Maryland that are part of the Episcopal Diocese of Washington subject to the provisions of the Maryland Annotated Code that apply to all religious corporations in the State. Those affected church corporations will be provided the same corporate treatment as the church corporations in the Episcopal Diocese of Maryland and the Episcopal Diocese of Easton, or any other religious corporation in the State of Maryland.

I thank the Committee for their consideration of this bill to provide for equal treatment for the affected corporations and respectfully urge the Committee and the General Assembly to enact SB 0429.

**SenatorBailey\_FAV\_SB429.pdf**

Uploaded by: Jack Bailey

Position: FAV

JACK BAILEY  
Legislative District 29  
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

Annapolis Office  
James Senate Office Building  
11 Bladen Street, Room 401  
Annapolis, Maryland 21401  
410-841-3673 • 301-858-3673  
800-492-7122 Ext. 3673  
Jack.Bailey@senate.state.md.us

District Office  
Dorsey Professional Park  
23680 Three Notch Road, Unit 101  
Hollywood, Maryland 20636  
240-309-4238

February 13, 2024

**Senate Bill 429 – Corporations and Associations – Protestant Episcopal Church, Diocese of Washington**

Dear Chairman Smith and Members of the Committee:

I am writing to introduce Senate Bill 429 - Corporations and Associations – Protestant Episcopal Church, Diocese of Washington. This legislation codifies existing provisions of law relating to the Episcopal Diocese of Washington at the request of the Diocese.

Currently, provisions of law relating to the Diocese and their Maryland parishes exist in uncodified law, as Chapter 96 of the Acts of the General Assembly of 1976. This Chapter was ultimately not codified in our State's Corporations and Associations Article. This creates understandable confusion, particularly as both the Diocese of Maryland and the Diocese of Easton have similar provisions that are codified in this Article. The Diocese of Easton was in a similar position, until legislation in 1999 added their previously uncodified statute to the Article.

The Episcopal Diocese of Washington includes not only St. Mary's County, but also Charles County, Montgomery County, and Prince George's County. This legislation is not intended to substantively change State law relating to the governance of the Diocese of Washington, only to ensure that these provisions are in the correct part of our statute books where they can be more easily found and referenced.

I respectfully request a favorable report on Senate Bill 429. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Bailey'.

Senator Jack Bailey

**SB0429 Diocese of Easton Letter.pdf**

Uploaded by: John Van De Weert

Position: FAV



# The Diocese of Easton

*The Episcopal Church in Eastern Maryland*

The Right Rev. Santosh K. Marray, D. Min., D.D.

*XI Bishop*

The Hon. William Smith, Jr.  
Chair, Judicial Proceedings Committee  
The Senate  
Maryland General Assembly  
2 East, Miller Senate Office Building  
Annapolis, Maryland 21401

*Submitted electronically*

**RE: SB0429 (cross-filed with HB0391)**

Dear Chair Smith:

I am writing in support of SB0429, entitled “Corporations and Associations – Protestant Episcopal Church, Diocese of Washington.”

I serve as the XI Bishop of the Episcopal Diocese of Easton. Our Diocese comprises thirty-nine Episcopal congregations located in Maryland.

I urge the General Assembly to pass SB0429 in order to make uniform the corporate organization of Episcopal parishes throughout Maryland. My colleagues in the Episcopal Diocese of Washington have asked for our support of this measure, in order to repeal the outdated 1700s-era laws that currently apply only to parishes in the Diocese of Washington. These same changes were already made for the Diocese of Maryland in the 1970s and the Diocese of Easton in the 1990s. If passed, SB0429 will provide the same treatment to parishes in the Diocese of Washington as already applies in the Dioceses of Maryland and Easton.

Should you have any questions, please contact my office.

Sincerely,

The Right Rev. Santosh K. Marray, D. Min., D.D.  
XI Bishop, The Episcopal Diocese of Easton

**SB0429 Diocese of Maryland Letter.pdf**

Uploaded by: John Van De Weert

Position: FAV



# THE EPISCOPAL DIOCESE OF MARYLAND

February 1, 2024

The Hon. William Smith, Jr.  
Chair, Judicial Proceedings Committee  
The Senate  
Maryland General Assembly  
2 East, Miller Senate Office Building  
Annapolis, Maryland 21401

*Submitted electronically*

**RE: SB0429 (cross-filed with HB0391)**

Dear Chair Smith:

I am writing in support of SB0429, entitled "Corporations and Associations – Protestant Episcopal Church, Diocese of Washington."

I serve as the bishop of the Episcopal Diocese of Maryland. Our Diocese comprises 104 Episcopal congregations located in Maryland.

I urge the General Assembly to pass SB0429 in order to make uniform the corporate organization of Episcopal parishes throughout Maryland. My colleagues in the Episcopal Diocese of Washington have asked for our support of this measure, in order to repeal the outdated 1700s-era laws that currently apply only to parishes in the Diocese of Washington. These same changes were already made for the Diocese of Maryland in the 1970s and the Diocese of Easton in the 1990s. If passed, SB0429 will provide the same treatment to parishes in the Diocese of Washington as already applies in the Dioceses of Maryland and Easton.

Should you have any questions, please contact the Rev. Kristofer Lindh-Payne, canon to the ordinary for leadership.

Sincerely,

The Rt. Rev. Eugene Taylor Sutton  
Bishop, Episcopal Diocese of Maryland



**SB0429 Diocese of Washington Letter.pdf**

Uploaded by: John Van De Weert

Position: FAV

Episcopal Diocese  
*of* Washington



Diócesis Episcopal  
*de* Washington

The Hon. William Smith, Jr.  
Chair, Judicial Proceedings Committee  
The Senate  
Maryland General Assembly  
2 East, Miller Senate Office Building  
Annapolis, Maryland 21401

Submitted electronically

**RE: SB0429 (cross-filed with HB0391)**

Dear Chair Smith:

I am writing in support of SB0429, entitled “Corporations and Associations – Protestant Episcopal Church, Diocese of Washington.”

I serve as the Ninth Bishop of the Episcopal Diocese of Washington. Our Diocese comprises 86 Episcopal congregations located in Charles, Montgomery, Prince George’s, and St. Mary’s Counties in Maryland, and in the District of Columbia.

I urge the General Assembly to pass SB0429 in order to help our parishes with their corporate governance. If passed, SB0429 will permit these parishes to be organized under the religious corporations article of the Maryland Corporations and Associations law, the same as Episcopal churches in other parts of Maryland (the Diocese of Maryland and the Diocese of Easton). This will also provide the same treatment as churches of other denominations. SB0429 would repeal obsolete provisions of the “Maryland Vestry Act” that date back to the 1700s. These uncodified statutes make it difficult for our parishes to establish their legal existence, complicating routine tasks like opening bank accounts or applying for grants.

Should you have any questions, please contact either The Rev. Andrew Walter, Canon to the Ordinary and Chief Operating Officer of the Episcopal Diocese of Washington (202-537-6530, [awalter@edow.org](mailto:awalter@edow.org)), or John Van De Weert, the Chancellor of the Diocese (202-577-1912, [jvandeweert@sidley.com](mailto:jvandeweert@sidley.com)).

Sincerely,

The Rt. Rev. Mariann Edgar Budde  
Bishop of Washington

# **SB0429 Van De Weert Testimony Diocese of Washingto**

Uploaded by: John Van De Weert

Position: FAV

**Written Testimony of John K. Van De Weert, Chancellor of the Episcopal Diocese of Washington, in Support of SB0429, entitled “Corporations and Associations – Protestant Episcopal Church, Diocese of Washington”**

I serve as the Chancellor of the Episcopal Diocese of Washington, more formally called the Convention of the Protestant Episcopal Church of the Diocese of Washington. As Chancellor, I am the legal advisor to the Diocese and its Bishop. The Episcopal Diocese of Washington is composed off 86 Episcopal congregations, including 51 Episcopal parishes located in the Maryland counties of Charles, Montgomery, Prince George’s, and Saint Mary’s.

The Episcopal Church has long roots in Maryland, and some of our parishes were first organized before the Revolutionary War. In the 1790s, Maryland adopted a statute called the “Maryland Vestry Act” to govern Episcopal parishes. That statute still applies to the Episcopal parishes in the Episcopal Diocese of Washington.

There are two other Episcopal Dioceses in Maryland – the Diocese of Maryland and the Diocese of Easton. The parishes in those Dioceses were previously subject to the Maryland Vestry Act. However, that status changed in 1976 for the Diocese of Maryland in in 1990 for the Diocese of Easton. In 1976 and 1990, the Maryland General Assembly enacted bills to repeal the Maryland Vestry Act as applied to those Dioceses, and to make the Episcopal parishes in those Dioceses subject to the Religious Corporations article in the Corporations and Associations law – the same treatment as applied to churches in other denominations.

We are now asking the General Assembly to enact SB0429 to make this same change for the Episcopal churches in the Episcopal Diocese of Washington. SB0429 is modeled on the bill text enacted in 1976 and 1990.

This change will be a great help to the parishes in the Episcopal Diocese of Washington. Under the Maryland Vestry Act, parishes do not have articles of incorporation or charters filed with the State Department of Assessments and Taxation. Rather, parishes are created and exist solely by action of the Diocese. This creates challenges when parishes need to provide their governing documents to banks (when opening bank accounts), grant-making organizations, and other third parties. Recently, several of our parishes have been unable to open bank accounts or apply for grants because of this status.

In addition, SB0429 will repeal provisions of the Maryland Vestry Act that are obsolete, providing some very specific provisions about ecclesiastical matters that are not in accord with modern understanding of the separation of church and state.

For all of these reasons, I urge the Committee and the General Assembly to enact SB0429.

**SB0429\_UNF\_mgoldstein 2024.pdf**

Uploaded by: Mathew Goldstein

Position: UNF



Secular Maryland

<https://secularmaryland.dorik.io> [secularmaryland@tutanota.com](mailto:secularmaryland@tutanota.com)

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February 13, 2024

## **SB 429 - UNF**

Corporations and Associations – Protestant Episcopal Church, Diocese of Washington

Dear Chair William C. Smith Jr., Vice-Chair Jeff Waldstreicher, and Members of the Judicial Proceedings Committee,

The Church of England was established under the Act for the Establishment of Religious Worship enacted by the Maryland Provincial General Assembly in 1702. Parish clergy and rectors were appointed by the Provincial Government and were for the most part loyalists, or priests sent from England. After the Revolution, most of the loyalist clergy fled to England or Canada leaving many parishes without rectors. The question of governance and ownership of Established Church property in Maryland became a concern of vestries. The state's politicians intervened to resolve these issues in the Vestry Acts of 1779 and 1798. The vestry of any Episcopal parish serves as the legislative authority for the parish and transacts the temporal business of the parish. The primary responsibilities are parish finances, maintaining parish facilities, choosing parish leadership, and assisting the rector with religious activities.

There should be no need for the state of Maryland to continue to maintain a law that addressed a temporary problem from several hundreds of years ago for this particular Protestant denomination in this particular state. Instead of bills like this that revise the Vestry Act, Secular Maryland would much prefer a bill that removes all references to the Episcopal Church from state law.

Mathew Goldstein  
3838 Early Glow Ln  
Bowie, MD