

(1) MORE THAN 100 ACRES IN THE STATE; OR

(2) ANY LAND WITHIN THE LIMITS OF A MUNICIPAL CORPORATION IN THE STATE, UNLESS AUTHORIZED TO DO SO BY THE MUNICIPAL CORPORATION.

(B) EXCEPTIONS — PRINCE GEORGE'S COUNTY.

(1) IN THE SPAULDINGS ELECTION DISTRICT OF PRINCE GEORGE'S COUNTY, A CEMETERY CORPORATION MAY BUY, HOLD, OR USE, FOR BURIAL, UP TO 125 ACRES IN 1 TRACT.

(2) IN THE LAUREL ELECTION DISTRICT OF PRINCE GEORGE'S COUNTY, A CEMETERY CORPORATION THAT OPERATED ON JUNE 1, 1955, MAY BUY, HOLD, OR USE, FOR BURIAL, UP TO 200 ACRES IN 1 TRACT.

(C) SAME — FREDERICK COUNTY.

IN FREDERICK COUNTY, A CEMETERY CORPORATION MAY BUY, HOLD, OR USE, FOR BURIAL, UP TO 150 ACRES IN 1 TRACT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 23, § 162.

In the introductory language of subsection (a) of this section, the reference to a "cemetery corporation" is substituted for the former reference to a cemetery company formed under "this article" for accuracy. The former provisions of Article 23 that governed the formation of corporations were transferred to the Corporations and Associations Article by Ch. 311, Acts of 1975.

In subsection (a)(2) of this section, the references to a "municipal corporation" are substituted for the former references to a "city or town" to conform to Md. Constitution Art. XI-E.

In subsection (b)(2) of this section, the specific date "June 1, 1955" is substituted for the former reference to a cemetery company "now existing" to clarify the date that the provision was enacted.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the law lacks a mechanism for granting exceptions for cemeteries that may wish to hold more than 100 acres in the State for burial.

Defined term: "Burial" § 5-101

5-202. PUBLIC THOROUGHFARES IN CEMETERIES.

(A) OPENING PUBLIC THOROUGHFARE PROHIBITED.

AN ALLEY, CANAL, ROAD, OR OTHER PUBLIC THOROUGHFARE MAY NOT BE OPENED THROUGH PROPERTY OF A CEMETERY CORPORATION IF THAT PROPERTY IS USED OR TO BE USED FOR BURIAL.