

PART V. PROTESTANT EPISCOPAL CHURCH, DIOCESE OF MARYLAND

5-333. SCOPE OF PART; APPLICABILITY OF PART I.

(A) SCOPE OF PART.

THIS PART APPLIES TO EVERY RELIGIOUS CORPORATION FORMED IN THIS STATE BY A PARISH OR SEPARATE CONGREGATION THAT IS IN UNION WITH OR INTENDING TO APPLY FOR UNION WITH THE CONVENTION OF THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF MARYLAND, AS CREATED BY CHAPTER 67, ACTS OF 1840.

(B) APPLICABILITY OF PART I.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION OR OTHERWISE IN THIS PART:

(I) PART I OF THIS SUBTITLE APPLIES TO AND REGULATES THE CORPORATE AND TEMPORAL AFFAIRS OF EVERY RELIGIOUS CORPORATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION, INCLUDING THOSE INCORPORATED UNDER CHAPTER 24, ACTS OF 1798, OR BY SPECIAL ACT OF THE GENERAL ASSEMBLY; AND

(II) TO THE EXTENT NOT PROHIBITED BY THE CONSTITUTION OF THE UNITED STATES OF THIS STATE, THE CHARTER OF EACH OF THEM IS DEEMED TO BE AMENDED TO CONFORM TO THIS SUBTITLE UNTIL THE CHARTER OTHERWISE IS AMENDED BY THE PARISH OR SEPARATE CONGREGATION AS PROVIDED IN PART I OF THIS SUBTITLE.

(2) AS TO ANY PARISH OR SEPARATE CONGREGATION THAT WAS INCORPORATED BEFORE THE EFFECTIVE DATE OF THE STATE CONSTITUTION OF 1851 AND, THEREFORE, HAS AN IRREPEALABLE CHARTER, UNLESS THAT PARISH OR SEPARATE CONGREGATION ACCEPTS, USES, ENJOYS, OR IN ANY WAY AVAILS ITSELF OF ANY RIGHT, PRIVILEGE, OR ADVANTAGE GRANTED OR CONFERRED BY ANY STATUTE ENACTED AFTER NOVEMBER 3, 1891:

(I) PART I OF THIS SUBTITLE DOES NOT APPLY TO THE PARISH OR SEPARATE CONGREGATION; AND

(II) THE PARISH OR SEPARATE CONGREGATION CONTINUES TO BE GOVERNED BY THE STATUTE UNDER WHICH IT WAS INCORPORATED.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 23, § 275(a), the first sentence of § 275(b), and the third and fourth sentences of § 275(d).

The present reference to the effective date of subsection (b) of this section--"July 1, 1973"--is deleted as unnecessary.

As to Chapter 67, Acts of 1840 and Chapter 24, Acts of 1798 (the latter being commonly known