

# SENATE BILL 145

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CF HB 132

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By: **The President (By Request – Department of Legislative Services)**

Introduced and read first time: January 18, 2010

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 19, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Examiners in Optometry – Sunset Extension and Program**  
3 **Evaluation**

4 FOR the purpose of continuing the State Board of Examiners in Optometry in  
5 accordance with the provisions of the Maryland Program Evaluation Act (sunset  
6 law) by extending to a certain date the termination provisions relating to  
7 statutory authority and regulatory authority of the Board; requiring that an  
8 evaluation of the Board and the statutes and regulations that relate to the  
9 Board be performed on or before a certain date; requiring the Board to submit a  
10 certain report on or before a certain date; and generally relating to the State  
11 Board of Examiners in Optometry.

12 BY repealing and reenacting, with amendments,  
13 Article – Health Occupations  
14 Section 11–602  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume)

17 BY repealing and reenacting, without amendments,  
18 Article – State Government  
19 Section 8–403(a)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume)

22 BY repealing and reenacting, with amendments,

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – State Government  
 2 Section 8–403(b)(45)  
 3 Annotated Code of Maryland  
 4 (2009 Replacement Volume)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article – Health Occupations**

8 11–602.

9 Subject to the evaluation and reestablishment provisions of the Program  
 10 Evaluation Act, this title and all rules and regulations adopted under this title shall  
 11 terminate and be of no effect after July 1, [2013] **2023**.

12 **Article – State Government**

13 8–403.

14 (a) On or before December 15 of the 2nd year before the evaluation date of a  
 15 governmental activity or unit, the Legislative Policy Committee, based on a  
 16 preliminary evaluation, may waive as unnecessary the evaluation required under this  
 17 section.

18 (b) Except as otherwise provided in subsection (a) of this section, on or before  
 19 the evaluation date for the following governmental activities or units, an evaluation  
 20 shall be made of the following governmental activities or units and the statutes and  
 21 regulations that relate to the governmental activities or units:

22 (45) Optometry, State Board of Examiners in (§ 11–201 of the Health  
 23 Occupations Article: July 1, [2012] **2022**);

24 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
 25 2011, the State Board of Examiners in Optometry shall submit a report to the Senate  
 26 Education, Health, and Environmental Affairs Committee and the House Health and  
 27 Government Operations Committee, in accordance with § 2–1246 of the State  
 28 Government Article, on the actions the Board has taken to:

29 (1) Monitor the decline in new licenses issued and the trends in the  
 30 renewal of previously issued licenses and include any recommendations the Board has  
 31 made to address the ~~decline~~ Board's findings;

32 (2) ~~Track developments in the scope of practice for optometry and~~  
 33 ~~their potential impact on entry into the profession in order to ensure that access to eye~~  
 34 ~~care in Maryland does not become a problem;~~

1                   ~~(2)~~    Review future revenue and expenditure trends to determine if a fee  
2 increase may be necessary; and

3                   ~~(4)~~ (3) Implement a biennial renewal cycle to maintain a more consistent  
4 fund balance.

5                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2010.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.