



SYNOPSIS

Senate Bills and Joint Resolutions
2012 Maryland General Assembly Session

February 7, 2012
Schedule 20

SENATE BILLS INTRODUCED *February 3, 2012*

SB 736 **Senator Rosapepe**

PRIMARY AND SECONDARY EDUCATION – ONLINE COURSES –
ACCEPTANCE OF COURSES APPROVED BY OTHER STATES

Authorizing the State Department of Education or a county board of education to procure online courses and services that have been approved by a state that the Department has determined has curriculum content standards consistent with the Maryland content standards; and making the Act an emergency measure.

EMERGENCY BILL

ED, § 7-1002 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 737 **Senator Rosapepe**

NURSING HOME ADMINISTRATOR LICENSE – REVOCATION OR
SURRENDER – BAN ON EMPLOYMENT

Prohibiting specified nursing homes or nursing home management firms from knowingly employing or retaining as a consultant an individual who has surrendered a specified license to the State Board of Nursing Home Administrators or has had a license revoked by the Board based on specified grounds for discipline; and prohibiting the Department of Health and Mental Hygiene from reimbursing specified institutions and management firms under specified circumstances.

EFFECTIVE OCTOBER 1, 2012

HO, § 9-314.2 and HG, § 15-114(f) - added and HG, § 15-114(c) - amended

Assigned to: Finance and Education, Health, and Environmental Affairs

Department of Legislative Services

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SB 738 **Senator Jennings**

STATE REAL ESTATE COMMISSION – REGULATION OF BUSINESS BROKERS

Requiring an individual to be licensed as a business broker before providing business brokerage services in the State; making specified provisions of law governing real estate licensees applicable to business brokers, including qualifications for license applicants, grounds for denial, reprimand, suspension, revocation, and penalties, reciprocity of licenses, duties of licensees, nonresident broker requirements, provision of services through a team, and prohibited acts; etc.

EFFECTIVE OCTOBER 1, 2012

BOP, Various Sections - amended and added and SF, § 6-226(a)(2)(ii)62. and 63. - amended and § 6-226(a)(2)(ii)64. and 65. - added

Assigned to: Education, Health, and Environmental Affairs

SB 739 **Senator Madaleno, et al**

TAX CREDIT EVALUATION ACT

Establishing a legislative review and evaluation process for specified tax credits allowed against specified taxes; establishing dates for review and other legislative action with regard to specified tax credits; providing for termination of specified tax credits under specified circumstances; providing for the repeal of specified and obsolete tax credits; providing for a specified construction of the repeal of tax credits; etc.

EFFECTIVE JULY 1, 2012

TG, §§ 1-301 through 1-311 - added and LE, §§ 11-1101 through 11-1107 and TG, §§ 10-704.9, 10-713, 10-719, and 10-728 - repealed

Assigned to: Budget and Taxation

SB 740 **Senator Madaleno**

PROPERTY TAX – CHARTER COUNTIES – EDUCATION FUNDING

Authorizing the county council of a charter county to set a property tax rate higher than authorized by a county charter or to collect more property tax revenues than authorized under the county charter under specified circumstances for the sole purpose of funding education; requiring a charter county to appropriate to the local board of education specified revenues and prohibiting a charter county from reducing specified funding to the local board of education under specified circumstances; etc.

EFFECTIVE JUNE 1, 2012

ED, § 5-104 - amended

Assigned to: Budget and Taxation

SB 741 **Senators Forehand and Rosapepe**

VEHICLE LAWS – U.S. FOREIGN SERVICE MEMBERS ABSENT FROM STATE – EFFECTIVE PERIOD OF DRIVER’S LICENSE

Establishing that a Maryland driver’s license held by a member of the U.S. Foreign Service who is residing outside the State or held by the spouse or a dependent of the member shall remain effective during the absence; authorizing an extension of the effective period of a Maryland driver’s license of a member of the Foreign Service or the spouse or a dependent of the member under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 16-115(a)(4) - amended and § 16-115(e) - added

Assigned to: Judicial Proceedings

SB 742 **Senator Kittleman**

WORKERS’ COMPENSATION – AVERAGE WEEKLY WAGE – CONTEST OF DETERMINATION

Authorizing an employer, an employer’s insurer, or the Uninsured Employers’ Fund to contest the average weekly wage of a covered employee as determined by the Workers’ Compensation Commission by filing wage statements with the Commission; requiring, under specified circumstances, the employer, employer’s insurer, or the Fund to continue to pay workers’ compensation benefits to a covered employee based on a specified average weekly wage.

EFFECTIVE OCTOBER 1, 2012

LE, § 9-602(a) - amended

Assigned to: Finance

SB 743 **Senators Madaleno and Montgomery**STATE PERSONNEL – STATE PERSONNEL DISABILITY
ACCOMMODATION FUND

Establishing the State Personnel Disability Accommodation Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Budget and Management to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2012

SP, § 2-801 and SF, § 6-226(a)(2)(ii)64. - added and SF, § 6-226(a)(2)(ii)62. and 63. - amended

Assigned to: Finance

SB 744 **Senator Madaleno, et al**HEALTH INSURANCE – HABILITATIVE SERVICES – REQUIRED
COVERAGE AND WORKGROUP

Altering the age under which insurers, nonprofit health service plans, and health maintenance organizations must provide coverage of habilitative services; specifying the format in which a notice about the coverage must be provided; requiring the Maryland Insurance Commissioner to establish a workgroup on access to habilitative services benefits; etc.

EFFECTIVE JULY 1, 2012

IN, § 15-835 - amended

Assigned to: Finance

SB 745 **Senator Middleton****INJURED WORKERS' INSURANCE FUND – CONVERSION TO CHESAPEAKE EMPLOYERS' INSURANCE COMPANY**

Providing that the Injured Workers' Insurance Fund be converted into a statutorily created, private, nonprofit, and nonstock workers' compensation insurer to be named the Chesapeake Employers' Insurance Company; providing that the Company be independent of State government; requiring, on a specified date, that specified functions, powers, duties, equipment, assets, property, accounts, liabilities, contracts, and obligations be irrevocably transferred to the Company; etc.

EFFECTIVE OCTOBER 1, 2012

IN, §§ 24-301 through 24-311 and LE, §§ 10-103 and 10-107 - added and LE, Various Sections - amended and repealed

Assigned to: Finance

SB 746 **Senator Middleton****TELECOMMUNICATIONS COMPANIES – UNIVERSAL SERVICE TRUST FUND – SURCHARGE**

Expanding the services that are subject to the Universal Service Trust Fund surcharge; requiring the surcharge to be applied to specified bills and to be payable at a specified time; requiring the Public Service Commission to direct specified companies to add the surcharge to bills for services under specified circumstances; requiring specified companies to act as collection agents for the Fund and to remit specified proceeds to the Comptroller for deposit in the Fund; providing specified companies a specified credit; etc.

EFFECTIVE JULY 1, 2012

SF, § 3A-501(g) and (i) - added and §§ 3A-501(g) and 3A-506 - amended

Assigned to: Finance

SB 747 Senator Middleton

COMMERCIAL LAW – UNIFORM COMMERCIAL CODE – REVISIONS TO TITLE 1

Revising, updating, reorganizing, and clarifying Title 1 of the Maryland Uniform Commercial Code (MUCC) relating to general provisions applicable to the MUCC; establishing a short title; clarifying the transactions to which Title 1 of the MUCC applies; providing for the effect of Title 1 of the MUCC on a specified federal law; authorizing the subordination of an obligation or a right to performance under specified circumstances; etc.

EFFECTIVE JUNE 1, 2012

CL, Various Sections - added, amended, and repealed

Assigned to: Finance

SB 748 Senator Middleton

COMMERCIAL LAW – UNIFORM COMMERCIAL CODE – SECURED TRANSACTIONS – REVISION

Altering the circumstances under which a secured party has control of electronic chattel paper; establishing specified rules applicable to collateral to which a security interest attaches within a specified period of time; establishing specified rules applicable to a financing statement naming an original debtor that is filed pursuant to the law of a specified jurisdiction; altering the circumstances under which a specified licensee or buyer of specified collateral takes free of a security interest; etc.

EFFECTIVE JULY 1, 2013

CL, Various Sections - amended and added

Assigned to: Finance

SB 749 Senator Middleton

PHYSICIANS – SHARING OF INFORMATION WITH MARYLAND HEALTH CARE COMMISSION

Adding the Maryland Health Care Commission to the list of entities to which the Health Services Cost Review Commission may disclose specified physician information; requiring the State Board of Physicians to disclose information contained in a record to the Maryland Health Care Commission for a specified purpose; adding the Maryland Health Care Commission to the list of entities that must adopt regulations for the transfer of information in a record; etc.

EFFECTIVE JULY 1, 2012

HG, § 19-218 and HO, § 14-411(d) and (e) - amended

Assigned to: Finance and Education, Health, and Environmental Affairs

SB 750 **Senator Middleton****MARYLAND HEALTH CARE COMMISSION – CARDIAC SURGERY AND PERCUTANEOUS CORONARY INTERVENTION SERVICES**

Requiring, with a specified exception, a certificate of need for the establishment of percutaneous coronary intervention (PCI) services; requiring, beginning on July 1, 2012, a certificate of conformance before an acute general hospital may establish primary PCI services or nonprimary PCI services; prohibiting the Maryland Health Care Commission from issuing a certificate of conformance unless the Commission finds that the proposed primary PCI services or proposed nonprimary PCI services meet specified standards; etc.

EFFECTIVE JULY 1, 2012

HG, § 19-120(j)(2) - amended and § 19-120.1 - added

Assigned to: Finance

SB 751 **Senator Middleton****CREATION OF A STATE DEBT – CHARLES COUNTY – INDIAN HEAD CENTER FOR THE ARTS RENOVATION**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Indian Head Center for the Arts, Inc. for the construction, renovation, and capital equipping of the Indian Head Center for the Arts, located in Indian Head; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 752 **Senator Young, et al**

INCOME TAX – SUBTRACTION MODIFICATION – RETIREMENT INCOME

Increasing the amount allowed as a subtraction modification under the State income tax for specified retirement income of an individual who is at least 70 years old or who is totally disabled; reducing the amount of retirement income allowed as a subtraction modification by the amount of Social Security benefits received; providing that the amount of the subtraction modification may not exceed specified amounts during specified taxable years; applying the Act to taxable years after December 31, 2011; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-209 - amended

Assigned to: Budget and Taxation

SB 753 **Senator Young**

REAL PROPERTY – BLIGHTED PROPERTY – REQUIRED SALE OR NUISANCE ABATEMENT

Requiring the owner of a blighted property to either list the property for sale with a licensed real estate broker at a price that does not exceed a specified amount, or remediate the property's code violations in a specified manner and within a specified period of time; authorizing the appropriate unit of local government to grant an extension of the required time periods for remediation; prohibiting an owner of a blighted property from listing the property for lease until the property meets specified code requirements; etc.

EFFECTIVE OCTOBER 1, 2012

RP, § 14-120.1 - added

Assigned to: Judicial Proceedings

SB 754 **Senator Young**

ELECTRIC COMPANIES – GENERATION REQUEST FOR PROPOSALS – EXPANSION OF AREA

Requiring the Public Service Commission to consider all areas of the State when determining the need for additional electricity generation; requiring an electric company to reference generation potential in all areas of the State in a request for proposals submitted to the Commission; specifying criteria that an electric company shall consider in a request for proposals; and making the Act an emergency measure.

EMERGENCY BILL

PU, § 7-214 - added

Assigned to: Finance

SB 755 **Senator Young, et al**

CONSUMING WINE NOT BOUGHT ON PREMISES – RESTAURANTS, CLUBS, AND HOTELS

Allowing an individual in a restaurant, club, or hotel for which a specified alcoholic beverages license is issued the privilege of consuming wine not purchased from or provided by the license holder; requiring, for an individual to exercise the privilege, that the wine be consumed under specified circumstances; requiring a local licensing board to issue a specified permit at no cost; authorizing a license holder to determine and charge an individual a fee for the privilege; etc.

EFFECTIVE JULY 1, 2012

Art. 2B, § 12-107(b)(2) - amended and § 12-107(b)(10) - added and TG, § 11-101(m) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 756 **Senator Young, et al**

GOVERNOR'S ADVISORY COMMISSION ON MARYLAND WINE AND GRAPE GROWING – MEMBERSHIP

Increasing the membership of the Governor's Advisory Commission on Maryland Wine and Grape Growing by adding one member who is a representative of the Office of Tourism Development.

EFFECTIVE OCTOBER 1, 2012

AG, § 10-1203(a) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 757 **Senator Young, et al**

INCOME TAX – TAX CREDIT FOR WINERIES AND VINEYARDS

Allowing a credit against the State income tax for specified qualified expenditures at specified wineries and specified vineyards; requiring the Maryland Department of Agriculture to administer the tax credit; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Comptroller to adopt specified regulations; applying the tax credit to all taxable years beginning after December 31, 2011; defining terms; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-731 - added

Assigned to: Budget and Taxation

SB 758 **Senator Young, et al**DEPARTMENT OF HEALTH AND MENTAL HYGIENE –
CONTAINMENT LABORATORIES – OVERSIGHT

Establishing the Containment Laboratory Oversight Division in the Department of Health and Mental Hygiene; requiring the Division to establish and enforce specified standards and requirements relating to specified containment laboratories in the State for a specified purpose; requiring that on or after January 1, 2014, a facility be licensed by the Division before the facility may operate a containment laboratory; etc.

EFFECTIVE OCTOBER 1, 2012

HG, § 17-602(a) - amended and §§ 17-701 through 17-712 - added

Assigned to: Finance

SB 759 **Senator Gladden**RELIGIOUS CORPORATIONS – LAWS GOVERNING ASSETS OF
UNITED METHODIST CHURCH – REPEAL

Repealing requirements for the holding of specified assets owned by a specified Methodist Church; and repealing provisions of law providing for the effect of the absence of a trust clause in a specified deed or other conveyance executed before a specified date.

EFFECTIVE JUNE 1, 2012

CA, §§ 5-326 and 5-327 - repealed

Assigned to: Judicial Proceedings

SB 760 **Senator Gladden**CORRECTIONAL SERVICES – INMATES – VIDEO VISITATION
PROGRAM

Requiring the Department of Public Safety and Correctional Services to establish a specified video visitation program under which a specified inmate may visit with specified persons via Internet video under specified circumstances; requiring the Department to establish an approval process and guidelines for specified organizations to provide Internet video access to specified persons; requiring the Department to establish a fee for participation in a video visitation program; etc.

EFFECTIVE OCTOBER 1, 2012

CS, §§ 10-1001 through 10-1005 - added

Assigned to: Judicial Proceedings

SB 761 Senator Gladden**JUVENILES – CONFINEMENT IN JUVENILE FACILITIES**

Providing that a specified child for whom the juvenile court has waived jurisdiction under specified circumstances is required to remain detained in a juvenile detention facility except under specified circumstances; providing that a specified child is required to be transferred to a specified juvenile facility under specified circumstances; establishing the circumstances under which a specified child may not be transferred to a juvenile facility; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, §§ 3-8A-06 and 3-8A-16 and CP, §§ 4-202 and 6-218 - amended

Assigned to: Judicial Proceedings

SB 762 Senator Benson**ALCOHOLIC BEVERAGES – MULTIPLE LICENSES – CHAIN STORES AND OUT-OF-STATE LICENSEES**

Increasing to five the number of certain alcoholic beverages licenses that may be issued to an individual for specified purposes; limiting the licenses that may be issued for a specified purpose; specifying that a business enterprise is not a chain store for purposes of specified provisions of the alcoholic beverages law under specified circumstances; repealing prohibitions against issuing specified licenses in specified counties to a person who holds an alcoholic beverages license issued in another state or Washington, D.C; etc.

EFFECTIVE JUNE 1, 2012

Art. 2B, §§ 9-102(a) and (a-1) and 9-107 - amended and § 9-1.02(b-3) - repealed

Assigned to: Education, Health, and Environmental Affairs

SB 763 Senator Benson**ELECTION LAW – PAYROLL DEDUCTIONS AND MEMBER CONTRIBUTIONS – ADDRESS OF CONTRIBUTOR**

Requiring an employer that collects voluntary contributions from employees through payroll deduction to a campaign finance entity selected by the employer to record the address of each contributor and transfer that information to the campaign finance entity; etc.

EFFECTIVE JUNE 1, 2012

EL, §§ 13-241, 13-242, and 13-243 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 764 Senator Kelley, et al**FRAUDULENT INSURANCE ACTS – INDIVIDUAL SURETIES – CONTRACTS OF SURETY INSURANCE**

Establishing that it is a fraudulent insurance act for an individual surety to make a representation that it has legal authority to issue a contract of surety insurance or to issue a contract of surety insurance, except as provided in specified provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully assist a person to obtain a contract of surety insurance from an individual surety, except as provided in specified provisions of law; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 27-406.1 - added and § 27-408 - amended

Assigned to: Finance

SB 765 Senators Mathias and Middleton**PUBLIC UTILITIES – CONSUMER RELATIONS – TENANT PAYMENT OF LANDLORD UTILITY BILLS**

Authorizing specified tenants to prevent the termination of specified utility service by paying the amount due on a monthly bill; authorizing specified tenants to restore specified utility service by paying the amount due on a monthly bill and other applicable charges; authorizing specified tenants to pay for specified other charges; specifying that specified tenants incur no liability by taking specified action; etc.

EFFECTIVE OCTOBER 1, 2012

PU, § 7-309 - added and RP, § 8-401(b)(1)(iii) and (c)(2)(iii)2.D.-amended

Assigned to: Finance

SB 766 Senator Edwards**MOTOR FUEL – MASS TRANSIT TAX – TRANSIT FUNDING**

Imposing a mass transit tax on motor fuel in specified jurisdictions; establishing the rate of the mass transit tax as 2.1% of the sales price charged by a distributor for motor fuel sold to a retail service station dealer; requiring the mass transit tax to be imposed at a specified time and collected and paid in a specified manner; requiring a distributor to file a mass transit tax return; allowing a distributor to deduct a specified amount of the mass transit tax due to reimburse the distributor for expenses; etc.

EFFECTIVE JULY 1, 2012

TG, Various Sections and TR, §§ 3-216(d)(3) and 7-309 - added and TR, § 3-216(c)(2)(i) and (d)(1) - amended and § 3-216(d)(3) - repealed

Assigned to: Judicial Proceedings

SB 767 **Senator Edwards**GARRETT COUNTY – COUNTY COMMISSIONERS – WIND ENERGY
CONVERSION SYSTEMS

Requiring that specified wind energy conversion systems comply with specified setback requirements; authorizing specified variances under specified circumstances; requiring that before a permit is issued for specified wind energy conversion systems, the Garrett County Department of Planning and Land Development retain a specified professional engineer to prepare a specified cost estimate and require the applicant to post a specified bond; requiring that the bond be held as surety for specified purposes; etc.

EMERGENCY BILL

Art. 25, § 236G - added

Assigned to: Finance

SB 768 **Senator Edwards**

NATURAL GAS SEVERANCE TAX AND IMPACT FUND

Imposing a tax on the removal of natural gas from natural gas wells in the State; providing for the calculation of the tax; setting the rate of the tax; providing for the administration of the tax by the Comptroller; requiring persons subject to the tax to file returns and keep and make available specified records and information; providing for the distribution of revenue from the tax; establishing the Natural Gas Impact Fund; providing for the administration and purpose of the Fund; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2012

TG, Various Sections - added and amended and EN, § 14-122.1 - added

Assigned to: Budget and Taxation

SB 769 **Senator Edwards****GARRETT COUNTY – ANIMAL CONTROL ORDINANCE – ENABLING AUTHORITY**

Authorizing the County Commissioners of Garrett County to adopt an animal control ordinance; authorizing a specified animal control officer to deliver a citation to a person believed to be committing a violation of an animal control ordinance adopted by the county commissioners; establishing the contents of the citation; establishing a maximum penalty; authorizing the county commissioners to establish specified fines and procedures; authorizing a person who receives a specified citation to elect to stand trial; etc.

EFFECTIVE OCTOBER 1, 2012

Art. 25, § 236A - amended

Assigned to: Education, Health, and Environmental Affairs

SB 770 **Senator Edwards****BUSINESS OCCUPATIONS – LANDMEN – REGISTRATION**

Requiring the Department of Labor, Licensing, and Regulation to establish and maintain a landman registry; prohibiting a person from acting, offering to act, or holding oneself out in the State as a landman unless registered with the Department; requiring a person to apply for registration by submitting a specified form, paying a \$100 nonrefundable 2-year registration fee, and complying with specified requirements; requiring the Department to register and issue a registration number to specified applicants; defining “landman”; etc.

EFFECTIVE JUNE 1, 2012

BOP, §§ 17.5-101 through 17.5-112 - added and EN, § 14-122 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 771 **Senator Edwards****PUBLIC UTILITY COMPANIES – GENERATING STATIONS – WIND**

Repealing a provision that exempts a specified person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under specified circumstances; repealing a provision that requires a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under specified circumstances; etc.

EFFECTIVE JUNE 1, 2012

PU, § 7-207.1 - amended

Assigned to: Finance

SB 772 **Senators Edwards and Astle**

VEHICLE LAWS – REGISTRATION PLATES FOR MOTORCYCLES – INDIVIDUALS WITH DISABILITIES

Authorizing an individual to possess a specified number of special registration plates for individuals with disabilities for specified motorcycles in addition to the special registration plate and parking placards authorized under provisions of law.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 13-616(c) and 13-616.1(c) - amended

Assigned to: Judicial Proceedings

SB 773 **Senator Edwards**

ENVIRONMENT – GAS AND OIL LEASES – REQUIREMENTS

Requiring a specified person that enters into a specified gas or oil lease after January 1, 2013, to record the lease within 3 months of executing the lease; requiring specified information be stated conspicuously in a specified gas or oil lease; providing that a specified gas or oil lease is not valid unless it meets the requirements of the Act.

EFFECTIVE OCTOBER 1, 2012

EN, § 14-113.1 - added

Assigned to: Judicial Proceedings

SB 774 **Senator Young**

FAMILY LAW – PETITION FOR TERMINATION OF PARENTAL RIGHTS

Altering the circumstances under which a local department of social services is required to file a petition for termination of parental rights or join an action for termination of parental rights; altering the circumstances under which a local department is not required to file a petition or join an action; establishing that a child shall be considered to be abandoned under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

FL, § 5-525.1 - amended

Assigned to: Judicial Proceedings

SB 775 **Senator Young, et al**

MUNICIPAL CORPORATIONS – COLLECTION OF CHARGES

Requiring a collector of taxes for a municipal corporation, on request by the municipal corporation, to collect specified charges imposed by the municipal corporation that by law are liens against specified real property as part of and in addition to any taxes due on the property.

EFFECTIVE OCTOBER 1, 2012

TP, § 4-201(b) - amended

Assigned to: Budget and Taxation

SB 776 **Senator Young**

POLYSOMNOGRAPHIC TECHNOLOGISTS – EDUCATION AND EXAMINATION REQUIREMENTS

Altering the education requirements for a license to practice polysomnography; and requiring the State Board of Physicians to waive specified education requirements for a license to practice polysomnography if, in addition to meeting other requirements, an applicant has passed a specified examination on or before September 30, 2013.

EFFECTIVE OCTOBER 1, 2012

HO, §§ 14-5C-09 and 14-5C-10 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 777 **Senator Pugh, et al**

STATE GOVERNMENT – COMMEMORATIVE DAYS – HARRIET TUBMAN DAY

Requiring the Governor annually to proclaim March 10 as Harriet Tubman Day.

EFFECTIVE OCTOBER 1, 2012

SG, § 13-410 - added

Assigned to: Education, Health, and Environmental Affairs

SB 778 Senator Pugh**COMMERCIAL LAW – RENTAL–PURCHASE AGREEMENTS BEST PRACTICES ACT**

Altering the requirements for reinstating a rental–purchase agreement; altering the time allowed for a consumer to reinstate a rental–purchase agreement; requiring a consumer to pay specified interest and penalties under specified circumstances; requiring a reduction in payments under specified circumstances; requiring a lessor to maintain specified records for a specified amount of time; etc.

EFFECTIVE OCTOBER 1, 2012

CL, §§ 12-1106.1, 12-1110.1, 12-1111.1, and 12-1111.2 - added and Various Sections - amended

Assigned to: Finance

SB 779 Senator Pugh**STATE RETIREMENT AND PENSION SYSTEM – STUDY OF ASSET MANAGEMENT**

Requiring the Governor’s Office of Minority Affairs to conduct a study of the Maryland State Retirement and Pension System and all funds managed by the Board of Trustees for the State Retirement and Pension System to determine the capacity to select minority fund managers across all asset classes and to determine methods that best assure the recruitment and selection of minority companies for fund–to–fund management or direct management by the Investment Division of the State Retirement Agency; etc.

EFFECTIVE JULY 1, 2012

Assigned to: Budget and Taxation

SB 780 Senator Pugh**ELECTRICITY AND GAS SUPPLIERS – RESIDENTIAL ELECTRICITY SUPPLY CONTRACTS – INFORMATION AND CUSTOMER RELATIONS**

Prohibiting automatic renewal clauses in specified residential electricity supply contracts; prohibiting a residential supply contract from containing an early termination fee or penalty on cancellation of the contract unless the customer is given notice; etc.

EFFECTIVE OCTOBER 1, 2012

PU, §§ 1-101(c),(j), and (n), 2-108(d), and 7-507 - amended

Assigned to: Finance

SB 781 **Senator Pugh, et al**

HEALTH INSURANCE – COVERAGE FOR TELEMEDICINE SERVICES

Requiring insurers, nonprofit health service plans, and health maintenance organizations to provide the same coverage for health care services delivered either in person or through a telemedicine service; prohibiting insurers, nonprofit health service plans, and health maintenance organizations from excluding a health care service from coverage solely because it is delivered by a telemedicine service and not in another manner; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 15-139, HG, § 19-706(III), and SP, § 2-518 - added and HG, § 15-105.2 - amended

Assigned to: Finance

SB 782 **Senator Pugh**

HEALTH INSURANCE – PHARMACY BENEFITS MANAGERS – SPECIALTY DRUGS

Requiring the State Board of Pharmacy to determine and prepare a list of the prescription drugs that may be considered specialty drugs by a pharmacy benefits manager; requiring the Board to publish its list of specialty drugs in the Maryland Register every 6 months; specifying the prescription drugs that a pharmacy benefits manager may designate as specialty drugs on a formulary; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 15-1611 - added

Assigned to: Finance

SB 783 **Senator Pugh, et al**

STATE PERSONNEL – COLLECTIVE BARGAINING – APPLICABILITY

Providing specified collective bargaining rights to specified State employees; specifying the responsibilities of the State Labor Relations Board in administering and enforcing specified provisions of law relating to the collective bargaining rights of specified employees; and requiring the State Labor Relations Board to create bargaining units for specified employees.

EFFECTIVE JULY 1, 2012

SP, §§ 3-101(b), 3-102, and 3-205 - amended

Assigned to: Finance

SB 784 **Senator Muse, et al**DEPARTMENT OF HEALTH AND MENTAL HYGIENE –
WORKGROUP ON CANCER CLUSTERS AND ENVIRONMENTAL
CAUSES OF CANCER

Requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a workgroup to examine issues relating to the investigation of potential cancer clusters in the State and potential environmental causes of cancer; specifying issues to be examined; requiring the Department of Health and Mental Hygiene to report findings of the workgroup on or before December 1, 2012; etc.

EFFECTIVE JULY 1, 2012

Assigned to: Finance

SB 785 **Senator Muse**MOTOR VEHICLE INSURANCE – USE OF CREDIT HISTORY IN
RATING POLICIES

Prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit history of an applicant or insured in any manner; repealing provisions of law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance subject to specified limitations and requirements; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 27-501(e-2) - amended

Assigned to: Finance

SB 786 **Senators Muse and Ramirez**FORECLOSURE PREVENTION AND NEIGHBORHOOD
STABILIZATION ACT OF 2012

Requiring a secured party to file a specified request for foreclosure mediation at one of two points in a specified foreclosure proceeding; requiring the court to stay foreclosure proceedings until the conclusion of foreclosure mediation under specified circumstances; requiring the Department of Housing and Community Development to establish and maintain a Foreclosed Property Registry; establishing a tax credit for the purchase of residential property in a foreclosure hotspot; etc.

EFFECTIVE OCTOBER 1, 2012

RP, § 7-105.1 - amended and RP, § 14-126(d) and § TP, 9-110 - added

Assigned to: Judicial Proceedings and Budget and Taxation

SB 787 Senator Forehand

ESTATES AND TRUSTS – MARYLAND UNIFORM PRINCIPAL AND INCOME ACT – CERTAIN PAYMENTS TO AND FROM TRUSTS

Establishing specified requirements concerning allocation of principal and income for a distribution to a marital trust from an individual retirement account, qualified retirement plan account, or similar account or plan, or annuity; requiring a trustee of a marital trust to perform specified duties on request of a surviving spouse under specified circumstances; requiring a marital trust to increase receipts payable to a beneficiary under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

ET, §§ 15-516 and 15-527 - amended

Assigned to: Judicial Proceedings

SB 788 Senator Muse, et al

REGISTRATION OF PROPERTY SUBJECT TO FORECLOSURE

Requiring a specified person authorized to make the sale of a residential or commercial property to give specified notice to the appropriate county agency; authorizing the appropriate county agency to collect a specified fee with a specified notice of a filing to foreclose on residential or commercial property; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2012

RP, § 7-105.11 - added

Assigned to: Judicial Proceedings

SB 789 Senator Robey

TRANSPORTATION – STATE DETERMINATION OF PARATRANSIT SERVICE ELIGIBILITY – ACCEPTANCE BY LOCAL GOVERNMENTS

Requiring a county or local government agency to consider an individual eligible for specified paratransit service on notification from the Maryland Department of Transportation that the individual has been certified eligible for paratransit service; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 2-103.5 - amended

Assigned to: Finance

SB 790 **Senator Pugh, et al**

HARRIET TUBMAN DAY

Requiring the Governor to proclaim March 10, 2012, as Harriet Tubman Day; and making the Act an emergency measure.

EMERGENCY BILL

Assigned to: Education, Health, and Environmental Affairs

SB 791 **Senator Garagiola**

RENEWABLE ENERGY PORTFOLIO STANDARD – SOLAR ENERGY AND SOLAR WATER HEATING SYSTEMS

Altering the percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in specified years; authorizing the Public Service Commission, in consultation with the Maryland Energy Administration, to approve an equivalent certification for measurement for energy generated by specified solar water heating systems; etc.

EFFECTIVE OCTOBER 1, 2012

PU, §§ 7-703 and 7-704(g) - amended

Assigned to: Finance

SB 792 **Senator Garagiola, et al**

STATE PROCUREMENT – BANKING SERVICES PREFERENCE – LEND LOCAL ACT OF 2012

Requiring the State Treasurer, when deciding whether to designate or make an agreement with a financial institution to provide specified banking services to the State or an agency of the State, to consider whether the financial institution is operating in the State with total assets of less than \$5,000,000,000 and commits to make loans to small businesses in the State in an aggregate amount of at least 200% of the incremental funds that are deposited by the Treasurer.

EFFECTIVE JULY 1, 2012

SF, § 6-203 - amended

Assigned to: Finance

SB 793 **Senator Garagiola, et al****CORPORATE INCOME TAX – RATE IN ECONOMICALLY DEPRESSED COUNTIES**

Reducing the State corporate income tax rate from 8.25% to 6% for income attributable to operations of a corporation in a qualified distressed county; applying the Act to taxable years beginning after December 31, 2011; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-105(b) - amended

Assigned to: Budget and Taxation

SB 794 **Senator Garagiola, et al****HORSE RACING – PURSE DEDICATION ACCOUNT – USE OF FUNDS FOR OPERATING ASSISTANCE**

Repealing a restriction that limits to calendar year 2012 the use of certain Purse Dedication Account funds by Ocean Downs Race Course and Rosecroft Raceway for operating assistance to support a minimum of 40 live racing days at each of these race courses; placing restrictions on the receipt of specified Purse Dedication Account grants; etc.

EFFECTIVE OCTOBER 1, 2012

SG, § 9-1A-28(g) - amended and added and § 9-1A-28(h) - added

Assigned to: Budget and Taxation and Finance

SB 795 **Senator Garagiola, et al****ESTATE TAX – EXEMPTION FOR FAMILY FARM OR SMALL BUSINESS**

Altering the determination of the Maryland estate tax to exclude up to \$3,000,000 from the value of the gross estate the value of specified agricultural property and the value of a specified interest in a small business; providing for the recapture of specified Maryland estate tax if specified agricultural property is sold under specified circumstances; requiring the Comptroller to adopt specified regulations; defining specified terms; and applying the Act to decedents dying after December 31, 2011.

EFFECTIVE JULY 1, 2012

TG, § 7-309 - amended

Assigned to: Budget and Taxation

SB 796 **Senator Garagiola****RENEWABLE PORTFOLIO STANDARD – SOLAR – SMALL SOLAR ON–SITE GENERATORS AND SOLAR WATER HEATING SYSTEMS**

Requiring that a specified percentage of the renewable energy portfolio standard for solar be from small solar on–site generators under specified circumstances; requiring an electricity supplier to purchase solar renewable energy credits from small solar on–site generators each year before purchasing solar renewable energy credits produced from other generating facilities in order to meet a specified requirement; etc.

EFFECTIVE OCTOBER 1, 2012

PU, § 7-701(k-1) - added and §§ 7-701(k-1) and 7-703 - amended

Assigned to: Finance

SB 797 **Senators Frosh and Gladden****COURTS AND JUDICIAL PROCEEDINGS – WITNESSES – PRIVILEGED COMMUNICATIONS BETWEEN LABOR ORGANIZATION AND MEMBER**

Prohibiting a labor organization or an agent of a labor organization from being compelled to disclose in specified proceedings any communication or information acquired from a member in the course of the agent’s professional duties or while acting in a representative capacity; providing exceptions; providing that the provisions of federal or State labor law control in the event of a conflict between the federal or State law and the Act; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, § 9-124 - added

Assigned to: Judicial Proceedings

SB 798 **Senator Frosh****THE MARCELLUS SHALE SAFE DRILLING STUDY FEE**

Altering the amount of a specified performance bond; requiring specified owners of a specified gas interest in specified areas of the State to file a notice with the Department of the Environment in accordance with specified requirements; requiring specified owners of a specified gas interest in specified areas of the State to pay to the Department a specified amount of money on or before specified dates under specified circumstances; etc.

EFFECTIVE JUNE 1, 2012

EN, §§ 14-102, 14-111(a) and (b), 14-116, 14-117, 14-118, 14-122, and 14-123 - amended and §§ 14-113.1 and 14-120.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 799 Chair, Judicial Proceedings Committee (By Request – Sexual Offender Advisory Board)

CRIMINAL LAW – SEX OFFENDERS – STATUTORY SEX OFFENSE

Altering the age difference required between a victim and an offender for the crime of third degree sex offense; prohibiting specified persons from engaging in specified sexual acts with a person who is 14 or 15 years old; providing for penalties for a violation of the Act; requiring a specified person convicted of engaging in specified sexual acts with a person who is 14 or 15 years old to register on the State sex offender registry; creating a nonpublic registry database for specified persons convicted of a specified crime; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, § 5-106(z), CR, §§ 3-307 and 3-308, and CP, §§ 11-701 and 11-713 - amended and CR, § 3-308.1 and CP, § 11-704.3 - added

Assigned to: Judicial Proceedings

SB 800 Senators Brinkley and Young

CREATION OF A STATE DEBT – FREDERICK COUNTY – GOODWILL INDUSTRIES OF MONOCACY VALLEY

Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Goodwill Industries of Monocacy Valley, Inc. for the renovation, including addition of a HVAC system, to the Goodwill Facility, located in the City of Frederick; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 801 Senators Brinkley and Young

CREATION OF A STATE DEBT – FREDERICK COUNTY – MENTAL HEALTH ASSOCIATION BUILDING

Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Mental Health Association of Frederick County, Inc. for the renovation of the Mental Health Association Building, located in Frederick; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 802 **Senators Brinkley and Young**

FREDERICK COUNTY – BUDGETARY PROCESSES

Renaming specified balances in the general fund of Frederick County; requiring that if a specified committed general fund balance is appropriated and expended by the County Commissioners of Frederick County, the County Commissioners shall replenish the committed general fund balance by the end of the following third fiscal year.

EFFECTIVE JULY 1, 2012

PLL of Fred. Co., Art. 11, §§ 2-7-1, 2-7-4(a), and 2-7-11 - amended

Assigned to: Budget and Taxation

SB 803 **Senators Brinkley and Kittleman**

PUBLIC SAFETY – REGULATED FIREARMS – EXEMPTION FROM TRAINING COURSE

Providing an exemption from specified requirements to complete a specified firearms training course if an individual is a retired law enforcement officer of a unit of the federal government, the State, or any local law enforcement agency in the State.

EFFECTIVE OCTOBER 1, 2012

PS, §§ 5-119 and 5-134(c) - amended

Assigned to: Judicial Proceedings

SB 804 **Senator Brinkley, et al**

HUMAN SERVICES – SERVICE ANIMAL TRAINERS – NONDISCRIMINATION

Altering various provisions of law establishing specified rights and privileges for individuals with disabilities to include service animal trainers who are accompanied by an animal that is being trained or raised as a service animal; altering various provisions of law relating to the use of service animals by individuals with disabilities to include service animal trainers; and altering the definition of “service animal trainer”.

EFFECTIVE OCTOBER 1, 2012

HU, §§ 7-701(h) and 7-704 - amended

Assigned to: Judicial Proceedings

SB 805 Senator Brinkley, et al**MARYLAND CONSTITUTION – CONGRESSIONAL DISTRICTS – REQUIREMENTS AS TO TERRITORY, FORM, AND BOUNDARIES**

Proposing an amendment to the Maryland Constitution to specify that the districts for the election of members of the Congress of the United States shall conform to specified requirements as to territory, form, natural boundaries, and political subdivision boundaries; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. XV, § 12 - added

Assigned to: Education, Health, and Environmental Affairs

SB 806 Senators Brinkley and Young**CREATION OF A STATE DEBT – FREDERICK COUNTY – DOWNTOWN FREDERICK HOTEL AND CONFERENCE CENTER**

Authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, and design of the Downtown Frederick Hotel and Conference Center; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey an easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 807 Senator Madaleno, et al**INCOME TAX – SUBTRACTION MODIFICATION – LAND ACQUISITION FOR TRANSPORTATION-RELATED PROJECTS**

Allowing a subtraction modification under the Maryland income tax for a payment made by the State Highway Administration to an individual for the acquisition of a portion of the individual's property for use in transportation-related projects; applying the Act to taxable years beginning after December 31, 2011; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-207(y) - added

Assigned to: Budget and Taxation

SB 808 **Senator Madaleno, et al**GRADUATE LEVEL EDUCATION – EXEMPTION FROM PAYING
NONRESIDENT TUITION – MEMBERS OF THE UNITED STATES
ARMED FORCES

Exempting active duty members and honorably discharged veterans of the United States armed forces, who attend a public institution of higher education within 5 years of the honorable discharge, from paying nonresident tuition rates at the public institution of higher education for graduate level education; etc.

EFFECTIVE OCTOBER 1, 2012

ED, § 15-106.4(a) - amended and § 15-106.4(d) - added

Assigned to: Education, Health, and Environmental Affairs

SB 809 **Senator Madaleno, et al**SALES AND USE TAX – TAX-FREE PERIODS – UNIVERSITY AND
COLLEGE TEXTBOOKS

Designating specified periods each year to be tax-free periods during which an exemption from the sales and use tax is provided for the sale of specified textbooks purchased by a full-time or part-time student enrolled at a public senior higher education institution or regional higher education center; etc.

EFFECTIVE JULY 1, 2012

TG, § 11-232 - added

Assigned to: Education, Health, and Environmental Affairs

SB 810 **Senator Madaleno**INCOME TAX – SUBTRACTION MODIFICATION – COMMUTER
EXPENSES

Providing a subtraction under the Maryland income tax for up to \$240 a month of commuter expenses of an individual; reducing the amount allowed as a subtraction by the amount excluded for the same purposes from federal gross income; applying the Act to taxable years beginning after December 31, 2011; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-207(y) - added

Assigned to: Education, Health, and Environmental Affairs

SB 811 **Senator Astle**

INSURANCE – FRAUD VIOLATIONS – FINES AND ADMINISTRATIVE PENALTIES

Providing that a specified fine imposed for specified insurance fraud violations is mandatory and not subject to suspension; authorizing the Maryland Insurance Commissioner to impose an administrative penalty for specified insurance fraud violations and to order restitution for specified insurance fraud violations to specified insurers or self-insured employers; requiring the Commissioner to consider specified factors in determining the amount of an administrative penalty; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 27-408 - amended

Assigned to: Finance

SB 812 **Senator Astle**

INSURANCE – SUSPECTED FRAUD – REPORTING REQUIREMENT

Altering the list of persons that are required to report suspected insurance fraud to specified persons and entities in a specified manner under specified circumstances; and providing for the withholding of specified information under specified circumstances.

EFFECTIVE OCTOBER 1, 2012

IN, § 27-802 - amended

Assigned to: Finance

SB 813 **Senators Astle and Pugh**

TELEPHONE COMPANIES – EXEMPTION FROM PRIOR APPROVAL OF PUBLIC SERVICE COMMISSION – FRANCHISES, SECURITIES, AND FINANCING

Exempting telephone companies from obtaining prior approval of the Public Service Commission before taking specified actions affecting a franchise or a right to a franchise; exempting telephone companies from obtaining prior approval before purchasing, acquiring, taking, or holding any part of the capital stock of another public service company; and exempting telephone companies from obtaining prior approval before taking specified actions relating to financing the telephone company.

EFFECTIVE OCTOBER 1, 2012

PU, §§ 5-202, 5-203, 6-101, 6-102, and 6-103 - amended

Assigned to: Finance

SB 814 Senator Astle**PUBLIC SAFETY – ELEVATORS – BOARD MEMBERSHIP, ACCESSIBILITY LIFTS, AND LIFT MECHANICS**

Altering the membership of the Elevator Safety Review Board to add a member representing the elevator interior renovation industry and a member representing the accessibility lift industry; authorizing the Board to establish specified fees for the application, issuance, and renewal of licenses issued to specified lift mechanics; requiring a person to be licensed by the Board as a lift mechanic before providing specified services; establishing requirements for an applicant for a lift mechanic license; etc.

EFFECTIVE OCTOBER 1, 2012

PS, §§ 12-801, 12-820(a), 12-824, and 12-826(e) - amended and §§ 12-826(e), 12-827(d), and 12-832(e) - added

Assigned to: Education, Health, and Environmental Affairs

SB 815 Senator Astle**CRIMINAL LAW – ROBBERY – ORAL CLAIM OF POSSESSION OF A DANGEROUS WEAPON**

Prohibiting a person from committing or attempting to commit a robbery by making an oral claim that the person has possession of a dangerous weapon; and establishing a penalty for a violation of the Act.

EFFECTIVE OCTOBER 1, 2012

CR, § 3-403 - amended

Assigned to: Judicial Proceedings

SB 816 Harford County Senators**HARFORD COUNTY BOARD OF EDUCATION – STUDENT MEMBER – VOTING RIGHTS**

Providing that the student member of the Harford County Board of Education has specified rights and privileges; and prohibiting the student member from voting on or participating in specified matters.

EFFECTIVE JULY 1, 2012

ED, § 3-6A-01(b) - amended and § 3-6A-01.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 817 Senator Pipkin**HEALTH INSURANCE – REIMBURSEMENT FOR COVERED SERVICES RENDERED BY TELEMEDICINE**

Requiring specified health insurance carriers to reimburse a licensed health care provider for a covered service rendered by telemedicine to an insured or enrollee; requiring a covered service rendered by telemedicine to be reimbursed by a carrier at the same rate established by the carrier for a covered service, rendered in person, that is the same or substantially the same as the covered service rendered by telemedicine; etc.

EFFECTIVE OCTOBER 1, 2012

HG, § 19-706(III) and IN, § 15-139 - added

Assigned to: Finance

SB 818 Senator Pipkin, et al**TRANSPORTATION – CHESAPEAKE BAY BRIDGE CROSSING – ENVIRONMENTAL IMPACT STUDY FOR A THIRD SPAN**

Explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Authority, in collaboration with specified other agencies, to commence the process, on or before January 1, 2013, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; and requiring that the Environmental Impact Study be for a span at a specified location.

EFFECTIVE OCTOBER 1, 2012

TR, § 4-205 - amended

Assigned to: Finance

SB 819 Senator Pipkin, et al**PRIVATE PROPERTY RIGHTS – REGULATORY INFRINGEMENT – COMPENSATION**

Giving an owner of private property a cause of action under specified circumstances against the Department of Agriculture, the Department of the Environment, the Department of Natural Resources, or the Department of Planning if the application of specified regulations infringes on a private property right; providing that the cause of action shall be filed in a specified court; providing for the sum that a private property owner may recover; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, § 5-120 and SG, §§ 12-601 through 12-604 - added and CJ, § 6-203(b) - amended

Assigned to: Judicial Proceedings

SB 820 **Senator Pipkin, et al**TRANSPORTATION – TOLL, FEE, OR OTHER CHARGE INCREASES –
NOTICE AND PUBLIC COMMENT

Requiring specified staff of the Maryland Transportation Authority to provide, by a specified date, public notice regarding a proposal to increase specified tolls, fees, or other charges; requiring the Authority to make the proposal available to the public in a specified manner; and requiring the Authority to receive comments from the public at the meeting at which the Authority votes to implement the proposal.

EFFECTIVE OCTOBER 1, 2012

TR, § 4-312 - amended

Assigned to: Finance

SB 821 **Senator Pipkin, et al**ENVIRONMENT – WATERSHED IMPLEMENTATION PLAN – CAP ON
COSTS

Requiring each entity that prepares a Watershed Implementation Plan to prepare a cost assessment of costs associated with implementing the Plan through 2017; requiring a cost assessment to be updated each year by December 1; requiring the Department of the Environment to submit a report on the cost assessments to the Governor and the General Assembly each year by December 31; and prohibiting the implementation of a Watershed Implementation Plan if a specified cost assessment exceeds a specified amount.

EFFECTIVE JULY 1, 2012

EN, §§ 4-801 and 4-802 - added

Assigned to: Education, Health, and Environmental Affairs

SB 822 **Senator Pipkin, et al**ENVIRONMENT – WATERSHED IMPLEMENTATION PLAN –
COUNTY IMPLEMENTATION

Providing that a local jurisdiction may not be required to implement activities or strategies of a State Watershed Implementation Plan unless specified funding is provided.

EFFECTIVE OCTOBER 1, 2012

EN, §§ 4-801 and 4-802 - added

Assigned to: Education, Health, and Environmental Affairs

SB 823 **Senator Pipkin, et al****ENVIRONMENT – WATERSHED IMPLEMENTATION PLAN –
RANKING BEST MANAGEMENT PRACTICES**

Requiring, on or before October 1, 2012, the Department of the Environment to create a list that ranks best management practices relating to a Watershed Implementation Plan based on cost and expected pollution reduction value; requiring the Department to include specified information in the list; requiring the Department to update the list annually; and requiring the Department to publish the list on the Department's Web site and to mail a hard copy of the list to each county.

EFFECTIVE JUNE 1, 2012

EN, §§ 4-801 and 4-802 - added

Assigned to: Education, Health, and Environmental Affairs

SB 824 **Senator Pipkin, et al****TRANSPORTATION – CHESAPEAKE BAY BRIDGE AUTHORITY**

Establishing the Chesapeake Bay Bridge Authority to finance, construct, operate, and maintain the William Preston Lane, Jr. Memorial Bridge and the parallel Chesapeake Bay Bridge; providing for the members, appointment, terms, chair, and staff of the Authority; prohibiting the Department of Transportation from exercising jurisdiction or authority over the Chesapeake Bay Bridge; authorizing the Authority to take specified actions in the performance of its duties; etc.

EFFECTIVE JUNE 1, 2012

TR, § 4-101(h)(1) - amended and §§ 4.5-101 through 4.5-412 - added

Assigned to: Budget and Taxation and Finance

SB 825 **Senator Pipkin, et al****MARYLAND TRANSPORTATION AUTHORITY – AUDITS –
STATEMENTS AVAILABLE ONLINE**

Requiring the Maryland Transportation Authority or an entity engaged by the Authority to annually audit the finances of each transportation facilities project; requiring the Authority to make specified audit statements available on its Internet site in a specified manner; and defining "audit statement".

EFFECTIVE JUNE 1, 2012

TR, § 4-211 - added

Assigned to: Budget and Taxation

SB 826 **Senator Pipkin, et al**

LOCAL AND REGIONAL PLANNING AND LAND USE POWERS – PROHIBITION ON RESTRICTION

Prohibiting the Department of Planning, the Office of Smart Growth, the Special Secretary of Smart Growth, or the Smart Growth Subcabinet from adopting regulations or taking actions that restrict the planning and land use powers of local governments or regional planning agencies.

EFFECTIVE JUNE 1, 2012

SF, § 5-312 and SG, § 9-1407 - added

Assigned to: Education, Health, and Environmental Affairs

SB 827 **Senator Pipkin**

ENVIRONMENT – SEWAGE DISPOSAL SYSTEMS

Establishing that the State may not prohibit the installation of any on-site sewage disposal system until a specified amount of time after specified overflows at sewage pumping stations are fully mitigated and specified capital improvements are made to the sewage pumping stations responsible for the overflows.

EFFECTIVE JUNE 1, 2012

EN, § 9-1110 - added

Assigned to: Education, Health, and Environmental Affairs

SB 828 **Senator Pipkin, et al**

MARYLAND TRANSPORTATION AUTHORITY – FIXING OR REVISING TOLLS – LEGISLATIVE APPROVAL REQUIRED

Prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; prohibiting the Authority from charging and collecting a toll that exceeds the toll charged on or before October 1, 2011, unless the toll is approved in accordance with the Act; etc.

EFFECTIVE JUNE 1, 2012

TR, § 4-312 - amended

Assigned to: Finance and Budget and Taxation

SB 829 **Senator Pipkin, et al**DEPARTMENT OF PLANNING – STATE DEVELOPMENT PLAN –
APPROVAL BY THE GENERAL ASSEMBLY

Requiring the Secretary of Planning to submit a State Development Plan to the General Assembly; prohibiting the Plan from being finalized until it is approved by an Act of the General Assembly; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or revision to the Plan, together with any comments made by the Governor after enactment of a law that approves the Plan; etc.

EFFECTIVE JUNE 1, 2012

SF, § 5-605 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 830 **Senator Ramirez**REAL PROPERTY – CONDOMINIUMS AND HOMEOWNERS
ASSOCIATIONS – ABANDONED PROPERTY

Authorizing the governing body of a condominium or homeowners association to send a mortgagee a specified notice that the property subject to the mortgage in the condominium or homeowners association has been deemed abandoned; providing that within a specified time period specified amounts owed to the governing body in connection with the abandoned property shall have first lien priority; etc.

EFFECTIVE OCTOBER 1, 2012

RP, §§ 11-110.1 and 11B-117.1 - added

Assigned to: Judicial Proceedings

SB 831 **Senator Ramirez, et al**COMMERCIAL LAW – CONSUMER PROTECTION – CREDIT
COUNSELING AND LEGAL ASSISTANCE FUND

Establishing the Credit Counseling and Legal Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Division of Consumer Protection in the Office of the Attorney General to administer the Fund; requiring the Division to adopt specified regulations; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; requiring the State Court Administrator to collect specified filing fees and pay the fees into the Fund; etc.

EFFECTIVE OCTOBER 1, 2012

CL, § 13-207, CJ, §§ 7-202(g) & 7-301(g), and SF, § 6-226(a)(2)(ii)64. - added and SF, § 6-226(a)(2)(ii)62. and 63. - amended

Assigned to: Finance

SB 832 Senator Pipkin

DEPARTMENT OF NATURAL RESOURCES – OFFICE OF PLANNING

Repealing provisions of law designating the Department of Planning as a principal department of State government and providing specified legal counsel to the Department of Planning; renaming the Department of Planning to be the Office of Planning and transferring the Office to the Department of Natural Resources; specifying that the head of the Office is the Director of the Office of Planning; specifying the duties of the Director; etc.

EFFECTIVE JULY 1, 2012

SG, §§ 2-201(e)(1)(ii), 8-201, and 11-103(d) - amended, SF, § 2-203 - amended, and NR, Various Sections - amended, repealed, and added

Assigned to: Education, Health, and Environmental Affairs

SB 833 Senator Pipkin

REGULATIONS – FEES AND FINES – LEGISLATIVE APPROVAL REQUIRED

Prohibiting a regulation that increases a fee or fine that a unit is authorized to impose from taking effect until the General Assembly approves the increase through legislation that is enacted.

EFFECTIVE OCTOBER 1, 2012

SG, § 10-117 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 834 Senator Pipkin

TRANSIT FACILITIES – FAREBOX RECOVERY DEFICIENCY – PAYMENT BY POLITICAL SUBDIVISIONS TO STATE

Requiring a political subdivision to remit a specified amount of funds to the State if a specified recovery from fares and operating revenues for specified transit services in the political subdivision is less than 35 percent of the total operating costs for specified transit services in the political subdivision; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 7-208(b-2) - added

Assigned to: Budget and Taxation

SB 835 Senator Pipkin

STATE DEVELOPMENT PLAN – CONFLICTS WITH A COUNTY OR MUNICIPAL CORPORATION

Requiring the Department of Planning and a county or municipal corporation to meet in good faith and seek to resolve a specified conflict between the State Development Plan and the county or municipal corporation under specified circumstances; and providing that the comprehensive plan, zoning laws, and local ordinances of a county or municipal corporation shall govern for a specified purpose if a specified conflict is not resolved.

EFFECTIVE JUNE 1, 2012

SF, § 5-606 - added

Assigned to: Education, Health, and Environmental Affairs

SB 836 Senators Pipkin and Brinkley

TEACHERS' RETIREMENT AND PENSION SYSTEMS – LOCAL EMPLOYER CONTRIBUTIONS

Requiring the State Board of Education to provide for the calculation of a payment of a portion of the employer contributions for local school board employees and community college employees who are members of the Teachers' Retirement System or the Teachers' Pension System; requiring specified counties to pay a portion of the employer contributions for local school board employees and community college employees who are members of the Teachers' Retirement System or the Teachers' Pension System; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2012

SP, §§ 21-304 and 21-308 - amended and § 21-309.1 - added

Assigned to: Budget and Taxation

SB 837 Senators Pipkin and Brinkley

STATE BUDGET

Authorizing the General Assembly to increase or add Executive Department items in the budget bill, subject to a specified limitation; providing for the veto of specified budget bill items; providing for the reversion to original appropriations of specified vetoed items in the budget bill; authorizing the General Assembly to override budget bill item vetoes; establishing the manner in which and the time at which budget bill items become law; and submitting the amendment to the qualified voters for adoption or rejection.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. II, § 17 and Art. III, §§ 14 and 52(6) - amended

Assigned to: Budget and Taxation

SB 838 **Senators Pipkin and Brinkley****BUDGET – REDUCTIONS OF APPROPRIATIONS**

Altering the maximum reduction that the Governor can make to an appropriation in the State budget from 25% to 10% of the appropriation; requiring the Governor to present proposed reductions to the budget committees of the General Assembly at least 1 week before seeking approval of the Board of Public Works; etc.

EFFECTIVE JULY 1, 2012

SF, § 7-213 - amended

Assigned to: Budget and Taxation

SB 839 **Senator Rosapepe****COLLEGE AFFORDABILITY AND INNOVATION ACT OF 2012**

Requiring the Maryland Higher Education Commission to endorse and promote competency-based postsecondary education as an important component of Maryland's higher education system; requiring the Commission to develop and execute, in cooperation with Western Governors University (WGU), Excelsior College, and other comparable nonprofit institutions, a binding memorandum of understanding that supports and endorses analyzing and taking steps to reduce and remove specified obstacles; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Education, Health, and Environmental Affairs

SB 840 **Senator Rosapepe****ALCOHOLIC BEVERAGES – CITY OF LAUREL – SALES BY LICENSE HOLDERS**

Requiring the City Council of the City of Laurel to make a specified determination regarding the granting of a license to sell alcoholic beverages in a specified building located within 500 feet of a church under specified circumstances.

EFFECTIVE OCTOBER 1, 2012

Art. 2B, § 9-217(e) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 841 Senator Pinsky

STATE BOARD OF DENTAL EXAMINERS – LICENSES – EXAMINATION REQUIREMENTS FOR DENTISTS AND DENTAL HYGIENISTS

Requiring specified limited licensees to pass a specified examination before the State Board of Dental Examiners is authorized to issue a specified license; clarifying that the Board or its designee will give a specified examination; altering specified examination requirements that specified dentists licensed in specified states are required to satisfy to be granted a specified license in Maryland; etc.

EFFECTIVE OCTOBER 1, 2012

HO, §§ 4-303.1(d) and 4-306 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 842 Senator Pinsky

CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – RIVERDALE PARK YOUTH AND COMMUNITY CENTER

Authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Riverdale Park for the design, engineering, and construction of a youth and community center, located in Riverdale Park; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 843 Senator Pinsky, et al

INSTITUTIONS OF POSTSECONDARY EDUCATION – FULLY ONLINE DISTANCE EDUCATION PROGRAMS – REGISTRATION

Requiring institutions of postsecondary education that enroll Maryland students in fully online distance education programs in the State to register with the Maryland Higher Education Commission before commencing or continuing to operate, doing business, or functioning in the State within 6 months of enrolling the first Maryland student; providing for a specified exception from the requirement for registration; etc.

EFFECTIVE JULY 1, 2012

ED, §§ 11-202, 11-203, 11-204, and 24-707 - amended and § 11-202.2 - added

Assigned to: Education, Health, and Environmental Affairs

SB 844 **Senator DeGrange, et al**

PARTNERSHIP FOR STUDENT EDUCATION AND COMMUNITY INVESTMENT TAX CREDIT

Providing a tax credit against the State income tax for contributions made to specified student assistance organizations; requiring the Department of Business and Economic Development to administer the tax credit; requiring specified entities to submit an application to be a student assistance organization by January 1 of each year; establishing the Partnership for Student Education and Community Investment Tax Credit Reserve Fund; applying the Act to taxable years beginning after December 31, 2011; etc.

EFFECTIVE JULY 1, 2012

TG, §§ 10-205(k), 10-306(g), and 10-731 - added

Assigned to: Budget and Taxation

SB 845 **Senator King, et al**

RECORDATION AND TRANSFER TAXES – TRANSFER OF PROPERTY BETWEEN RELATED ENTITIES – EXEMPTION

Exempting from the recordation tax and the State transfer tax the transfer of real property between a parent partnership or limited liability company and its subsidiary or between subsidiaries wholly owned by the same parent partnership or limited liability company under specified circumstances; and exempting from the recordation tax and the State transfer tax the transfer of real property between specified entities under specified circumstances.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2012

TP, §§ 12-108(p) and 13-207(a)(9) - amended

Assigned to: Budget and Taxation

SB 846 **Senator King, et al**

VEHICLE LAWS – HISTORIC MOTOR VEHICLES

Increasing to 25 years the age that a motor vehicle must attain before it may be registered as a historic motor vehicle; prohibiting a specified historic motor vehicle from being used for specified purposes; requiring an applicant for registration of a historic motor vehicle to submit with the application a certification that the vehicle is insured by a specified vehicle insurance policy; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 13-936 - amended

Assigned to: Judicial Proceedings

SB 847 **Senator King**

INCOME TAX – SUBTRACTION MODIFICATION FOR RETIREMENT INCOME

Altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for specified retirement income under specified circumstances; including income from specified rollover individual retirement accounts in the subtraction modification under specified circumstances; applying the Act to tax years after 2011; etc.

EFFECTIVE JULY 1, 2012

TG, § 10-209 - amended

Assigned to: Budget and Taxation

SB 848 **Senator King**

EDUCATION – MAINTENANCE OF EFFORT – WAIVERS

Requiring a county to apply to the State Board of Education for a waiver from the maintenance of effort requirement under specified circumstances; establishing a penalty for a county that fails to apply for a waiver and fails to fund the maintenance of effort requirement; establishing the following year's required maintenance of effort amount under specified circumstances; etc.

EFFECTIVE JULY 1, 2012

ED, § 5-202(d)(7) - amended and § 5-202(d)(9) - added

Assigned to: Budget and Taxation

SB 849 **Senator King**

HEALTH INSURANCE – DENTAL PREVENTIVE CARE – COVERAGE FOR DENTAL CLEANINGS

Requiring insurers, nonprofit health service plans, health maintenance organizations, dental plan organizations, and other specified persons to provide coverage for dental preventive care, including dental cleanings, if specified conditions are met; prohibiting specified provisions from being construed to require coverage for a specified service; etc.

EFFECTIVE OCTOBER 1, 2012

IN, § 15-135.1 and HG, § 19-706(l) - added

Assigned to: Finance

SB 850 **Senator King**HEALTH OCCUPATIONS – QUALIFICATIONS FOR LICENSURE –
MORTUARY SCIENCE, FUNERAL DIRECTION, AND
APPRENTICESHIP

Altering the circumstances under which the State Board of Morticians and Funeral Directors is required to issue licenses to applicants for mortician or funeral direction licenses; and requiring an individual who is seeking approval of an apprentice license to complete specified credits at a specified school or in a specified course that is both accredited by a specified entity and approved by the Board.

EFFECTIVE OCTOBER 1, 2012

HO, §§ 7-303(b)(3) and 7-306(d)(1) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 851 **Senator King, et al**

EDUCATION – MAINTENANCE OF EFFORT – WAIVER OF PENALTY

Waiving the penalty for not meeting the maintenance of effort requirement in a specified year.

EFFECTIVE JULY 1, 2012

Assigned to: Budget and Taxation

SB 852 **Senator King, et al**SALES AND USE TAX – ALCOHOLIC BEVERAGES – CALCULATION
OF TAX

Altering the definition of “taxable price” to include a mandatory gratuity charge or service charge in the nature of a tip for serving specified items to a group containing at least 11 individuals; altering the sales and use tax rate for a mandatory gratuity charge or service charge in the nature of a tip under specified circumstances; modifying the calculation of the sales and use tax rate applicable to charges for labor, materials, or property used in connection with the sale of an alcoholic beverage; etc.

EFFECTIVE JULY 1, 2012

TG, §§ 11-101(l)(5) and 11-104(h) - added and § 11-104(g) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 853 **Senator Klausmeier****BALTIMORE COUNTY – PUBLIC SCHOOL EMPLOYEES – COLLECTIVE BARGAINING UNITS**

Altering the definition of “public school employee” as it relates to provisions that relate to collective bargaining units of employees in Baltimore County; altering the composition of a unit of supervisory employees in Baltimore County; and establishing a unit of supervisory employees in Baltimore County.

EFFECTIVE JULY 1, 2013

ED, §§ 6-401(e), 6-404(c), and 6-505(c) - amended

Assigned to: Finance

SB 854 **Senator Klausmeier (By Request – Baltimore County Administration)****CREATION OF A STATE DEBT – BALTIMORE COUNTY – NEIGHBOR–SPACE OF BALTIMORE COUNTY**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, and capital equipping of the Neighbor–Space Project of Baltimore County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 855 **Senator Raskin****CORPORATIONS AND ASSOCIATIONS – LIMITED LIABILITY ACT – REVISIONS**

Establishing that specified statutory provisions relating to limited liability companies apply unless otherwise agreed on in the limited liability company’s articles of organization, in the operating agreement, or by unanimous consent; repealing the requirement that the purposes for which a limited liability company is formed be stated in the articles of organization; altering the requirements for a resident agent; repealing provisions relating to a member’s authority regarding abandoning the business; etc.

EFFECTIVE OCTOBER 1, 2012

CA, Various Sections - amended and §§ 4A-403.1 and 4A-403.2 - added

Assigned to: Judicial Proceedings

SB 856 **Senator Raskin****COURTS AND JUDICIAL PROCEEDINGS – MARYLAND MEDIATION CONFIDENTIALITY ACT**

Establishing that specified communications made in the course of and relating to specified mediations may not be disclosed by the mediators, parties to the mediations, or specified persons who participate in or are present for the mediations, under specified circumstances; establishing exceptions for specified communications; providing for the application of the Act; defining specified terms; providing that the Act may be cited as the Maryland Mediation Confidentiality Act; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, §§ 3-1801 through 3-1806 - added

Assigned to: Judicial Proceedings

SB 857 **Senator Raskin****HEALTH CARE MALPRACTICE CLAIMS – EXPERT WITNESSES – ADMISSIBILITY OF INSURANCE COVERAGE**

Providing that the existence of professional liability insurance coverage is admissible at the hearing of a claim or the trial of an action against a health care provider for alleged medical injury solely for the purpose of assessing the bias, if any, of an expert witness, if the expert's professional liability insurance carrier is a mutual or self-insured entity and a judgment against a defendant in the action would be paid by the expert's carrier.

EFFECTIVE OCTOBER 1, 2012

CJ, § 10-922 - added

Assigned to: Judicial Proceedings

SB 858 **Senator Raskin, et al****PUBLIC LIBRARY – ESSENTIAL COMMUNITY SERVICE – DESIGNATION**

Designating public libraries as providing essential community services during an emergency for specified purposes.

EFFECTIVE OCTOBER 1, 2012

PS, § 14-110.2 - added

Assigned to: Education, Health, and Environmental Affairs

SB 859 **Senator Raskin, et al**

HIGHER EDUCATION – COLLECTIVE BARGAINING – TENURED FACULTY, ADJUNCT FACULTY, AND GRADUATE STUDENT EMPLOYEES

Providing collective bargaining rights to tenured or tenure-track faculty, adjunct faculty, and graduate students in specified public institutions of higher education; and establishing separate collective bargaining units for tenured or tenure-track faculty, adjunct faculty, and graduate students.

EFFECTIVE JULY 1, 2012

SP, §§ 3-101, 3-102, and 3-403(d) - amended

Assigned to: Finance

SB 860 **Senator Colburn**

CRITICAL AREA COMMISSION – BUFFER STANDARDS – HYDRIC SOILS

Exempting specified counties with a certain percentage of hydric soils from specified buffer standards; and requiring the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to adopt specified regulations.

EFFECTIVE OCTOBER 1, 2012

NR, § 8-1808.12 - added

Assigned to: Education, Health, and Environmental Affairs

SB 861 **Senator Klausmeier**

PORTABLE ELECTRONICS INSURANCE

Repealing a specified limitation on the authority of a vendor of portable electronics insurance to sell coverage under a policy of portable electronics insurance; altering the circumstances under which a vendor that collects premiums for portable electronics insurance need not keep the premiums in a segregated account; providing an exception to a specified requirement to itemize premiums and charges; etc.

EFFECTIVE OCTOBER 1, 2012

IN, §§ 10-701, 10-703 through 10-707, and 19-903 - amended

Assigned to: Finance

SB 862 **Senator Manno****PUBLIC SAFETY – BUILDING EXTERIORS – INSPECTION AND MAINTENANCE**

Requiring each political subdivision to adopt by regulation a minimum safety inspection standard for the maintenance and inspection of building exteriors; requiring the Department of Housing and Community Development to adopt by regulation a General Property and Structural Maintenance Code; authorizing a political subdivision to charge a fee for specified inspections; making it a misdemeanor to willfully violate the Code; establishing penalties; defining terms; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2012

PS, § 12-203.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 863 **Senator Manno, et al****PUBLIC SCHOOLS – DATING VIOLENCE – KRISTEN MARIE MITCHELL LAW**

Adding dating violence to provisions of law requiring the reporting of incidents of specified conduct by a county board of education; altering the content of a specified form and report, policies, and educational programs to include incidents of dating violence; requiring the State Board of Education to develop, by a specified date, a model policy that includes a prohibition on dating violence; altering the date by which each county board is required to submit a specified policy to the State Superintendent of Schools; etc.

EFFECTIVE JULY 1, 2012

ED, §§ 7-424 and 7-424.1 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 864 **Senator DeGrange****GAMING – INSTANT BINGO – ELECTRONIC MACHINES**

Authorizing the operation of specified instant bingo machines; clarifying that a specified handheld device is not considered a slot machine; authorizing the State Lottery Commission to make specified determinations regarding gaming devices and requiring the Commission to issue specified regulations; amending specified admissions and amusement tax rates on electronic bingo in Calvert County; etc.

EFFECTIVE JULY 1, 2012

CR, §§ 12-113 and 12-301(3) and TG, §§ 2-202 and 4-105(a-1) - amended and CR, §§ 12-301.1 and 12-308 - added

Assigned to: Budget and Taxation

SB 865 **Senator Mathias****CREATION OF A STATE DEBT – BALTIMORE COUNTY – ARROW CHILD AND FAMILY MINISTRIES**

Authorizing the creation of a State Debt not to exceed \$154,000, the proceeds to be used as a grant to the Board of Directors of the Arrow Child and Family Ministries of Maryland for the repair and renovation of the Arrow Child and Family Ministries facility, located in Baltimore; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 866 **Senator Conway****HEALTH OCCUPATIONS BOARDS – REGULATIONS – SCOPE OF PRACTICE ADVISORY COMMITTEES**

Authorizing the Secretary of Health and Mental Hygiene to adopt regulations governing the practices of specified health occupations boards and commissions under specified circumstances; authorizing the Secretary to convene specified advisory committees for specified purposes; requiring specified advisory committees to consist of specified members with specified expertise; requiring specified advisory committees to take into account specified considerations when reviewing scope of practice disputes; etc.

EFFECTIVE JULY 1, 2012

HO, § 1-203 - amended and §§ 1-701 through 1-705 - added

Assigned to: Education, Health, and Environmental Affairs

SB 867 **Senator Conway**STATE DEPARTMENT OF EDUCATION – ORAL HEALTH
EDUCATION – CERTIFICATION AND MONITORING

Requiring each county superintendent to certify to the State Superintendent of Schools on or before September 1 of each year that oral health education, including oral disease prevention and dental health promotion, is being taught in the county; etc.

EFFECTIVE JULY 1, 2012

ED, § 4-111.1 - added and § 7-401(a) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 868 **Senator Conway**RESIDENTIAL CHILD AND YOUTH CARE PRACTITIONERS –
CERTIFICATION – MODIFICATIONS

Requiring the State Board for Certification of Residential Child Care Program Professionals to establish a tiered certification structure for residential child and youth care practitioners; requiring the Board to establish training requirements for the residential child and youth care practitioners certified by the Board; authorizing the Board to waive specified fees; prohibiting the Board from requiring fees for the examination of qualified certified residential child and youth care practitioner applicants; etc.

VARIOUS EFFECTIVE DATES

HO, Various Sections - amended and § 20-302.2 - added and HU, §§ 8-704(10) and 8-1002 - amended and § 8-1003 - repealed

Assigned to: Education, Health, and Environmental Affairs

SB 869 **Senator Conway**MARYLAND BUILDING PERFORMANCE STANDARDS – HOTELS –
MANDATORY MASTER CONTROL DEVICE

Requiring that guest rooms in newly constructed hotels be equipped with a device that turns off light fixtures after a specified period of time; authorizing the required device to control heating, ventilation, or air conditioning default settings; requiring the Department to adopt specified provisions as a part of the Maryland Building Performance Standards; etc.

EFFECTIVE OCTOBER 1, 2012

PS, § 12-503 - amended and § 12-510 - added

Assigned to: Education, Health, and Environmental Affairs

SB 870 **Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

STATE BOARD OF PHYSICIANS – ATHLETIC TRAINER ADVISORY COMMITTEE – SUNSET EXTENSION, PROGRAM EVALUATION, AND REVISIONS

Continuing the Athletic Trainer Advisory Committee in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending until July 1, 2023, the termination provision relating to the statutory and regulatory authority of the Committee; altering the contents of an evaluation and treatment protocol; authorizing an athletic trainer to accept an outside referral from specified individuals under specified circumstances; etc.

EMERGENCY BILL

HO, §§ 14-5D-01, 14-5D-05(e), 14-5D-06, 14-5D-08(d), 14-5D-11, and 14-5D-20 - amended and Various Sections - added

Assigned to: Education, Health, and Environmental Affairs

SB 871 **Senator Colburn**

CRIMINAL PROCEDURE – COMMUNITY–BASED ORGANIZATIONS – REGISTERED SEX OFFENDER PROHIBITION

Prohibiting specified registrants from entering onto real property that is owned or operated by a community–based organization that provides recreational activities for children under specified circumstances.

EFFECTIVE OCTOBER 1, 2012

CP, § 11-722 - amended

Assigned to: Judicial Proceedings

SB 872 **Senator Gladden, et al**

DEATH PENALTY REPEAL AND APPROPRIATION FROM SAVINGS TO AID SURVIVORS OF HOMICIDE VICTIMS

Repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that in specified cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under specified circumstances; providing that specified persons serving life sentences are not eligible for Patuxent Institution under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

CS, CP, CJ, CR, HG, and TR, Various Sections - amended and repealed

Assigned to: Judicial Proceedings

SB 873 **Senator Pugh****REDUCTION OF LEAD RISK IN HOUSING – CREATION OF LEAD POISONING COMPENSATION FUND**

Establishing the Lead Poisoning Compensation Fund; requiring specified owners of residential rental property to pay a Lead Poisoning Compensation fee; requiring the Fund to provide coverage to specified rental property owners for claims arising out of the alleged ingestion of lead; etc.

EFFECTIVE JULY 1, 2012

IN, §§ 32-101 through 32-502 and SF, § 6-226(a)(2)(ii)64. - added and SG, § 12-101 and SF, § 6-226(a)(2)(ii)62. and 63. - amended

Assigned to: Finance

SB 874 **Senator Ferguson****BALTIMORE CITY – ALCOHOLIC BEVERAGES – REFILLABLE CONTAINERS**

Creating in Baltimore City a refillable container license; authorizing the Board of Liquor License Commissioners to issue the license to a holder of a Class B beer and light wine or a Class B beer, wine and liquor license issued for a restaurant; specifying that a holder of the license may sell beer for consumption off the license premises in a specified refillable container to specified individuals; etc.

EFFECTIVE JULY 1, 2012

Art. 2B, § 8-203(e) - added and § 12-113(c) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 875 **Senator Ferguson****ENVIRONMENT – BEVERAGE CONTAINER DEPOSIT PROGRAM – RECOMMENDATION**

Requiring the Department of the Environment to recommend a beverage container deposit program to the Governor and the General Assembly on or before September 15, 2012; and requiring the recommended program to include specified requirements, determinations, and related provisions.

EFFECTIVE JUNE 1, 2012

Assigned to: Finance and Education, Health, and Environmental Affairs

SB 876 **Senator Ferguson****PUBLIC SCHOOL TEACHERS AND ADMINISTRATORS – APPEALS AND LAYOFFS – RIGHTS AND LIMITATIONS**

Limiting the review by the State Board of Education of the decision of a county board to suspend or dismiss specified public school teachers and administrators to a review on the record; requiring public school employers to negotiate teacher layoff policies as part of collective bargaining; requiring the use of performance evaluations in policies relating to teacher layoff decisions; etc.

EFFECTIVE JULY 1, 2012

ED, §§ 6-202(a), 6-203(e), and 6-408(b) and (c) - amended

Assigned to: Finance

SB 877 **Senator Glassman****ENVIRONMENT – WATER POLLUTION CONTROL – REPORTING AND PENALTIES**

Requiring the Department of the Environment to publish annually on its Web site the total amount of sewage overflow into the Chesapeake Bay and its tributaries and the total amount of fines collected by the Department as a result of sewage overflows into the Chesapeake Bay and its tributaries; and altering specified civil and administrative penalties for violations of specified provisions relating to water pollution control.

EFFECTIVE OCTOBER 1, 2012

EN, § 9-317 - added and § 9-342 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 878 **Senator Ferguson****EDUCATION – PRESCHOOL FOR ALL – ESTABLISHMENT AND FUNDING**

Establishing specified funding for prekindergarten students by altering a specified definition to include prekindergarten students in the number of students enrolled; altering a specified funding calculation to phase in a reduction of specified funding; altering a specified definition to make specified children eligible for prekindergarten; etc.

Preliminary analysis: local government mandate

This bill requires a mandated appropriation in the annual budget bill.

CONTINGENT – EFFECTIVE JULY 1, 2012

ED, §§ 5-202(a)(6), 5-207(a)(4), and 7-101.1 and SG, § 9-1A-30 - amended, and ED, § 7-103(f) repealed and added

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

SB 879 **Senator Jones–Rodwell (Chair, Joint Committee on Pensions)****STATE RETIREMENT AND PENSION SYSTEMS – COST–OF–LIVING ADJUSTMENTS – CLARIFICATION**

Clarifying that each type of cost–of–living adjustment for the State Retirement and Pension System does not apply to benefits paid in a single payment, the return of accumulated contributions, or benefits attributable to additional contributions; clarifying that the cost–of–living adjustment is applied as a rate and not a fraction; clarifying that a zero–adjustment fiscal year cost–of–living adjustment does not apply to a retiree’s first cost–of–living adjustment; etc.

EFFECTIVE JULY 1, 2012

SP, Various Sections - amended and § 29-402 - added

Assigned to: Budget and Taxation

SB 880 Senator Jones–Rodwell

STATE RETIREMENT AND PENSION SYSTEM – TRANSFER OF MEMBERS BETWEEN SYSTEMS

Providing that if an individual who was a member of one of the several systems in the State Retirement and Pension System on June 30, 2011, becomes a member of another one of the several systems on or after July 1, 2011, the individual shall be considered to be a new member of the subsequent system as of the date the individual joins the system, but is subject to specified requirements that were in place for the subsequent system on June 30, 2011; etc.

EFFECTIVE JULY 1, 2012

SP, §§ 23-215.2, 24-208, 25-207, and 26-207 - added

Assigned to: Budget and Taxation

SB 881 Senator Jones–Rodwell

RECEIPT OF STATE FUNDS – LOCAL EMPLOYEE REQUIREMENT

Requiring the Board of Public Works to adopt regulations to require that at least 50% of the employees of any recipient of State funds are residents of the State and that, if a particular contract is to be performed at a particular location, 50% of the employees reside within 10 miles of the location; requiring a unit of State government to give a preference in the bidding process to a resident bidder if at least 50% of the employees of the resident bidder are residents of the State; etc.

EFFECTIVE OCTOBER 1, 2012

SF, §§ 12-101(c) and 14-401.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 882 Senator Jones–Rodwell

LOCAL GOVERNMENT – INVESTMENT IN OUR YOUTH (IO–YOUTH) PROGRAMS

Authorizing a county to establish an Investment in Our Youth (IO–YOUth) Program; specifying that the purpose of a Program is to provide grants to nonprofit organizations to provide summer jobs for youths who are between 14 and 18 years of age; requiring a county that establishes a Program to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by specified funds and donations; etc.

EFFECTIVE OCTOBER 1, 2012

Art. 24, §§ 25-101 through 25-104 and TG, § 10-208(r) - added and TG, § 10-308(b) - amended

Assigned to: Budget and Taxation

SB 883 **Senator Jones–Rodwell (By Request – Baltimore City Administration)****BALTIMORE CITY – ALCOHOLIC BEVERAGES – VIDEO LOTTERY FACILITY AND VIDEO LOTTERY CONCESSIONAIRE LICENSES**

Creating in Baltimore City a Class BWL–VLF (video lottery facility) license and a Class BWL–VLC (concessionaire) license; specifying requirements for license applicants; authorizing the licensees to sell beer, wine and liquor by the drink and by the bottle, for consumption on the premises of a video lottery facility or on grounds controlled by the video lottery facility licensee, as defined in the video lottery facility license; specifying license fees; etc.

EFFECTIVE JULY 1, 2012

Art. 2B, § 6-201(d)(6) - amended and § 6-201(d-1) - added

Assigned to: Education, Health, and Environmental Affairs

SB 884 **Senator Jones–Rodwell, et al****TRANSPORTATION – HIGHWAY CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES**

Requiring the State Highway Administration to use the maximum feasible amount of specified federal funds available for a highway construction training program and supportive services, including skill improvement programs; requiring the Administration to submit a specified report by February 1 each year to specified committees of the General Assembly; providing for the contents of the report; etc.

EFFECTIVE JULY 1, 2012

TR, § 8-508 - added

Assigned to: Finance and Budget and Taxation

SB 885 **Senator Peters****CORRECTIONAL SERVICES – EMPLOYEE CASELOADS – DISCIPLINARY ACTIONS**

Requiring the Division of Parole and Probation to establish a standard caseload for parole and probation employees of 60 active cases; and requiring the caseload standard to be considered during employee disciplinary actions.

EFFECTIVE OCTOBER 1, 2012

CS, § 6-104 - amended and § 6-117 - added

Assigned to: Judicial Proceedings

SB 886 **Senator Peters**

CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – HAMPTONS AT OAK CREEK – SECURITY EQUIPMENT

Authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Hamptons at Oak Creek Homeowners Association for the acquisition and construction of the Hamptons at Oak Creek Security Equipment, located in Bowie; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2012

Assigned to: Budget and Taxation

SB 887 **Senator Peters**

STATE LOTTERY AGENCY – VETERANS LOTTERY – ESTABLISHED

Requiring the State Lottery Agency to conduct an annual lottery for the benefit of the Maryland Veterans Trust Fund; requiring the Agency to deposit into the Fund a percentage of the proceeds, after specified expenses are paid; and requiring the State Lottery Agency to meet specified advertising criteria in conducting the veterans lottery.

EFFECTIVE JULY 1, 2012

SG, §§ 9-120 and 9-913 - amended and § 9-120.2 - added

Assigned to: Education, Health, and Environmental Affairs

SB 888 **Senator Montgomery, et al**

PESTICIDES – DEALER PERMITS AND APPLICATIONS FOR CERTIFIED APPLICATORS – BACKGROUND CHECKS

Requiring a background check for a person applying for a pesticide dealer permit or to become a certified applicator; and authorizing the Department of Agriculture to charge a fee to cover costs associated with background checks under specified circumstances.

EFFECTIVE OCTOBER 1, 2012

AG, § 5-207 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 889 **Senator Stone**

CRIMINAL LAW – MISDEMEANOR POSSESSION OF CHILD PORNOGRAPHY – STATUTE OF LIMITATIONS

Increasing, from 1 to 3 years, the period of time within which a prosecution for misdemeanor possession of child pornography must be instituted after the offense was committed.

EFFECTIVE OCTOBER 1, 2012

CJ, § 5-106(bb) - added

Assigned to: Judicial Proceedings

SB 890 **Senator Stone**

PUBLIC SAFETY – DEPARTMENT OF STATE POLICE – YELLOW DOT PROGRAM

Establishing the Yellow Dot Program in the Department of State Police to provide specified health information to emergency responders under specified circumstances; requiring the Department to design and make available specified materials necessary to implement and administer the Program; requiring the Department to publicize the Program and distribute Program materials in cooperation with the Motor Vehicle Administration; etc.

EFFECTIVE OCTOBER 1, 2012

PS, §§ 2-901 through 2-903 - added

Assigned to: Judicial Proceedings

SB 891 **Senator Brochin**

HEALTH – LYME DISEASE – PATIENT INFORMATION AND ADMISSIBILITY OF TEST RESULTS

Requiring the Department of Health and Mental Hygiene to develop and make available to licensed physicians a specified patient information sheet on Lyme disease and Post-treatment Lyme disease Syndrome; authorizing a licensed physician to give the patient information sheet to specified patients; prohibiting a specified laboratory test from being admitted as specified evidence in specified proceedings; etc.

EFFECTIVE OCTOBER 1, 2012

HG, § 18-405 - added

Assigned to: Education, Health, and Environmental Affairs

SB 892 **Senator Peters, et al****GAMING – VIDEO LOTTERY TERMINALS AND TABLE GAMES**

Authorizing the awarding of an additional video lottery operation license and 4,750 additional video lottery terminals for a video lottery facility in a specified location in Prince George’s County; altering the amount paid to a video lottery operation licensee from the proceeds of video lottery terminals; creating a State Capital Account for a specified purpose; authorizing the holder of a video lottery operation license to offer table games in the State; submitting the Act to a referendum; etc.

EFFECTIVE JULY 1, 2012

SF, § 6-226(a)(2)(ii)62. and 63. - amended and 64. - added and SG, Various Sections - amended and § 9-1A-35.1 - added

Assigned to: Budget and Taxation

SB 893 **Senator Jones–Rodwell****COACHES – SEXUAL CONTACT WITH MINORS – PROHIBITION**

Prohibiting a coach from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under specified circumstances; providing for a statute of limitations for the prosecution of a violation of the Act; etc.

EFFECTIVE OCTOBER 1, 2012

CR, § 3-308 and CJ, § 5-106(z) - amended

Assigned to: Judicial Proceedings

SB 894 **Senator Jones–Rodwell****BALTIMORE CITY – REPRESENTATION OF CHILD SUPPORT ENFORCEMENT ADMINISTRATION – TRANSFER OF EMPLOYEES**

Requiring that, if the Office of the Attorney General hires specified employees of the State’s Attorney’s Office for Baltimore City who were providing specified services for the Child Support Enforcement Administration during a specified period, the employees shall be placed in specified positions in the State Personnel Management System and receive specified employment rights, service credit for specified purposes, specified annual or sick leave, and specified other rights; specifying exceptions; etc.

EFFECTIVE OCTOBER 1, 2012

Assigned to: Finance

SB 895 **Senator Conway****MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS – PERMITS AND REGISTRATION REQUIRED TO REMOVE AND TRANSPORT HUMAN REMAINS**

Requiring that a mortuary transport service be issued a permit by the Maryland State Board of Morticians and Funeral Directors before removing or transporting human remains in this State; establishing specified application fees and requirements for obtaining a permit; requiring permit holders to use vehicles that have passed an inspection by specified inspectors; requiring that individuals employed by specified permit holders be registered with the Board before removing and transporting human remains; etc.

EFFECTIVE OCTOBER 1, 2012

HO, §§ 7-601 through 7-606 - added

Assigned to: Finance

SB 896 **Senator Conway****BALTIMORE CITY – GAMING – ELECTRONIC BINGO**

Authorizing a specified qualified organization to operate an electronic bingo machine or an electronic tip jar or paper pull tab machine in Baltimore City; authorizing the Baltimore City Police Commissioner to issue specified licenses; applying a specified State tax rate and the payment of a specified State tax to specified machines; and requiring the Commissioner to adopt specified regulations.

EFFECTIVE JUNE 1, 2012

CR, § 12-301(3) - amended and § 13-511 - added

Assigned to: Budget and Taxation

SB 897 **Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

STATE BOARD OF PHYSICIANS – ALLIED HEALTH ADVISORY COMMITTEES – SUNSET EXTENSION AND PROGRAM EVALUATION

Continuing the Respiratory Care Professional Standards Committee, the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee, the Polysomnography Professional Standards Committee, and the Physician Assistant Advisory Committee under the State Board of Physicians in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law); altering the termination provision related to the Perfusion Advisory Committee; etc.

VARIOUS EFFECTIVE DATES

HO, Various Sections - amended and added and § 15-310(e) - repealed

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTIONS INTRODUCED *February 3, 2012*

SJ 4 **Senator Pugh, et al**

NATIONAL HARRIET TUBMAN DAY

Requesting that the President of the United States declare March 10, 2013, as National Harriet Tubman Day.

Assigned to: Education, Health, and Environmental Affairs

SJ 5 **Senator Pugh, et al**

GIFT OF A STATUE OF HARRIET TUBMAN TO THE UNITED STATES GOVERNMENT

Requesting that the Governor authorize the gift of a statue of Harriet Tubman to the United States government; requesting the Governor to request the United States Congress to place the statue in the United States Capitol Building; and requesting the Governor to establish the Harriet Tubman Statue Commission that, under the supervision and direction of the State Treasurer, would raise specified funds and be composed of specified members.

Assigned to: Education, Health, and Environmental Affairs

SJ 6**Senator Colburn, et al**

HEALTH – PROSTATE CANCER SCREENING

Requesting the Congress of the United States to seek the withdrawal of the United States Preventive Services Task Force draft recommendations against prostate-specific-antigen (PSA) screening for prostate cancer for men in all age groups.

Assigned to: Finance

SJ 7**Senator Jones–Rodwell**

INTERNATIONAL EDUCATION AND FOREIGN EXCHANGE PROGRAMS – SUPPORT

Urging the State Board of Education to encourage students, teachers, educators, and educational policymakers to participate in international education and foreign exchange programs and other activities.

Assigned to: Education, Health, and Environmental Affairs

SENATE BILL REASSIGNED February 3, 2012**SB 522****Senator Shank, et al**

STATE HIGHWAY ADMINISTRATION – PERMITS – BUSINESS ACCESS TO STATE HIGHWAYS

Requiring the State Highway Administration to make a determination whether to issue a permit to grant access from specified business property to a State highway within a specified time period; specifying that the Administration is deemed to have issued the permit if it fails to act within a specified time period; authorizing the State Highway Administrator to extend the time period for the Administration to act on the permit request under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 8-625 - amended

Reassigned to: Finance