

SENATE BILL 82

P1, J1

(PRE-FILED)

7lr1049
CF HB 180

By: ~~Senator Middleton~~ **Senators Middleton, Astle, Benson, Feldman, Hershey,
Jennings, Klausmeier, Mathias, Reilly, and Rosapepe**

Requested: November 2, 2016

Introduced and read first time: January 11, 2017

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 20, 2017

CHAPTER _____

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Renaming**

3 FOR the purpose of renaming the Department of Health and Mental Hygiene to be the
4 Maryland Department of Health; renaming the Secretary of Health and Mental
5 Hygiene to be the Secretary of Health; providing that the Maryland Department of
6 Health is the successor of the Department of Health and Mental Hygiene; providing
7 that certain names and titles of a certain unit and officials in laws and other
8 documents mean the names and titles of the successor unit and officials; providing
9 for the continuity of certain matters and persons; providing that letterhead, business
10 cards, and other documents reflecting the renaming of the Department may not be
11 used until all letterhead, business cards, and other documents already in print and
12 reflecting the name of the Department before the effective date of this Act are used;
13 requiring the publisher of the Annotated Code, in consultation with the Department
14 of Legislative Services, to correct cross-references and terminology in the Code that
15 are rendered incorrect by this Act; and generally relating to the renaming of the
16 Department of Health and Mental Hygiene and the Secretary of Health and Mental
17 Hygiene.

18 BY repealing and reenacting, without amendments,
19 Article – Health – General
20 Section 1–101(a)
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 BY repealing and reenacting, with amendments,
2 Article – Health – General
3 Section 1–101(c) and (k); and 2–101 and 2–102(a) to be under the amended title “Title
4 2. Maryland Department of Health”
5 Annotated Code of Maryland
6 (2015 Replacement Volume and 2016 Supplement)

7 BY repealing and reenacting, without amendments,
8 Article – State Government
9 Section 8–201(a)
10 Annotated Code of Maryland
11 (2014 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Government
14 Section 8–201(b)(8)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2016 Supplement)

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

19 **Article – Health – General**

20 1–101.

21 (a) In this article the following words have the meanings indicated.

22 (c) “Department” means the **MARYLAND** Department of Health [and Mental
23 Hygiene].

24 (k) “Secretary” means the Secretary of Health [and Mental Hygiene].

25 Title 2. **MARYLAND** Department of Health [and Mental Hygiene].

26 2–101.

27 There is a **MARYLAND** Department of Health [and Mental Hygiene], established as
28 a principal department of the State government.

29 2–102.

30 (a) The head of the Department is the Secretary of Health [and Mental Hygiene],
31 who shall be appointed by the Governor with the advice and consent of the Senate.

1 **Article – State Government**

2 8–201.

3 (a) The Executive Branch of the State government shall have not more than 21
4 principal departments, each of which shall embrace a broad, functional area of that Branch.

5 (b) The principal departments of the Executive Branch of the State government
6 are:

7 (8) Health [and Mental Hygiene];

8 SECTION 2. AND BE IT FURTHER ENACTED, That, as provided in this Act:

9 (a) The Maryland Department of Health is the successor of the Department of
10 Health and Mental Hygiene.

11 (b) In every law, executive order, rule, regulation, policy, or document created by
12 an official, an employee, or a unit of this State, the names and titles of those agencies and
13 officials mean the names and titles of the successor agency or official.

14 SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act affects the
15 term of office of an appointed or elected member of any commission, office, department,
16 agency, or other unit. An individual who is a member of a unit on the effective date of this
17 Act shall remain for the balance of the term to which appointed or elected, unless the
18 member sooner dies, resigns, or is removed under provisions of law.

19 SECTION 4. AND BE IT FURTHER ENACTED, That any transaction or
20 employment status affected by or flowing from any change of nomenclature or any statute
21 amended by this Act and validly entered into or existing before the effective date of this Act
22 and every right, duty, or interest flowing from a statute amended by this Act remains valid
23 after the effective date of this Act and may be terminated, completed, consummated, or
24 enforced as required or allowed by any statute amended by this Act as though the
25 amendment had not occurred. If a change in nomenclature involves a change in name or
26 designation of any State unit, the successor unit shall be considered in all respects as
27 having the powers and obligations granted the former unit.

28 SECTION 5. AND BE IT FURTHER ENACTED, That:

29 (1) the continuity of every commission, office, department, agency or other
30 unit is retained; and

31 (2) the personnel, records, files, furniture, fixtures, and other properties
32 and all appropriations, credits, assets, liabilities, and obligations of each retained unit are
33 continued as the personnel, records, files, furniture, fixtures, properties, appropriations,
34 credits, assets, liabilities, and obligations of the unit under the laws enacted by this Act.

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1 SECTION 6. AND BE IT FURTHER ENACTED, That letterhead, business cards,
2 and other documents reflecting the renaming of the Department of Health and Mental
3 Hygiene to be the Maryland Department of Health may not be used until all letterhead,
4 business cards, and other documents already in print and reflecting the name of the
5 Department before the effective date of this Act have been used.

6 SECTION 7. AND BE IT FURTHER ENACTED, That the publisher of the
7 Annotated Code of Maryland, in consultation with and subject to the approval of the
8 Department of Legislative Services, shall correct, with no further action required by the
9 General Assembly, cross-references and terminology rendered incorrect by this Act. The
10 publisher shall adequately describe any correction made in an editor's note following the
11 section affected.

12 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.