

Chapter 7

(Senate Bill 579)

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; repealing a provision of law authorizing the Board of License Commissioners for Washington County to issue a beer tasting license to the holder of a Class A or Class B beer and wine license; authorizing the County Executive of Cecil County, rather than the County Commissioners of Cecil County, to collectively bargain on behalf of Cecil County with certain full-time sworn law enforcement deputy sheriffs under certain circumstances; requiring that certain fines collected by Prince George's County for violations enforced by a certain speed monitoring system be deposited into the Criminal Injuries Compensation Fund; providing that certain provisions of law related to forensic examinations for certain sexually related crimes be applicable to certain qualified health care providers, including immunity from civil liability under certain circumstances; authorizing a county board of education to award credit to a high school student toward a high school diploma or a postsecondary credential, or both, for work-based training and classroom instruction completed under a registered apprenticeship program; requiring the Maryland Higher Education Commission to compare successful completers of the Cyber Warrior Diversity Program to certain similarly situated students with regard to certain characteristics; limiting the authority of counties and municipalities to impose a penalty against an alarm system contractor for the alarm system contractor's failure to register or renew the registration of an alarm system to certain circumstances; requiring a public service company to provide certain notice to owners of land and each owner of adjacent land over, on, or under which the public service company proposes to construct transmission lines under certain circumstances; requiring the Public Service Commission or an applicant to provide certain notice to certain owners of land and adjacent land of certain applications for a certificate of public convenience and necessity for proposed overhead transmission lines under certain circumstances; repealing the authority of the St. Mary's County Metropolitan Commission to discharge at pleasure a director, a secretary, and certain personnel; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31-1307(b)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 2–309(i)(4)(ii)3. and 7–302(e)(4)(iii)

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–1007(a)(5), (b)(2), (c)(3)(iii), and (d)(1) and (2)(i)

Annotated Code of Maryland

(2018 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–205.4 and 11–1404(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Local Government

Section 1–1312(c) and (d)

Annotated Code of Maryland

(2013 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–204(a)(1), 7–207(c)(1)(vi), and 7–208(e)(1)(i)

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 2–407(a)(8)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

The Public Local Laws of St. Mary’s County

Section 113–1C.

Article 19 – Public Local Laws of Maryland

(2007 Edition and October 2014 Supplement, as amended)

(As enacted by Chapters 296 and 297 of the Acts of the General Assembly of 2017,
as amended by Chapter 108 of the Acts of the General Assembly of 2018)

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

Article – Alcoholic Beverages

31–1307.

(b) The Board may issue the license to a holder of any class of beer, wine, and liquor license.

DRAFTER’S NOTE:

Error: Purpose paragraphs of bills being cured failed to accurately describe the changes made by the bills.

Occurred: Chapters 320 and 321 (House Bill 1156/Senate Bill 340) of the Acts of 2018.

Article – Courts and Judicial Proceedings

2–309.

(i) (4) (ii) A full–time sworn law enforcement deputy sheriff at the rank of Captain and below may:

3. Engage in collective bargaining with the Sheriff and the County Executive of Cecil County, or the designee of the Sheriff and the County Executive, concerning wages, benefits, and any working conditions that are not included in subparagraph (v)4A of this paragraph through a labor organization certified as the exclusive representative of the deputy sheriffs subject to this paragraph;

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 607 (House Bill 284) of the Acts of 2018.

7–302.

(e) (4) (iii) The fines collected by Prince George’s County as a result of violations enforced by a speed monitoring system at the intersection of Old Fort Road and Maryland Route 210 shall be remitted to the Comptroller for deposit into the Criminal Injuries Compensation Fund under § 11–819 of the Criminal Procedure Article.

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes

made by the bill.

Occurred: Chapter 806 (House Bill 175) of the Acts of 2018.

Article – Criminal Procedure

11–1007.

(a) (5) “Qualified health care provider” means an individual who is licensed by a health occupations board established under the Health Occupations Article.

(b) If a physician, a qualified health care provider, or a hospital provides a service described in subsection (c) of this section to a victim of an alleged rape or sexual offense or a victim of alleged child sexual abuse:

(2) the physician, qualified health care provider, or hospital is entitled to be paid by the Criminal Injuries Compensation Board as provided under Subtitle 8 of this title for the costs of providing the services.

(c) This section applies to the following services:

(3) for up to 5 hours of professional time to gather information and evidence of the alleged sexual abuse, an initial assessment of a victim of alleged child sexual abuse by:

(iii) a qualified health care provider;

(d) (1) A physician or a qualified health care provider who examines a victim of alleged child sexual abuse under the provisions of this section is immune from civil liability that may result from the failure of the physician or qualified health care provider to obtain consent from the child’s parent, guardian, or custodian for the examination or treatment of the child.

(2) The immunity extends to:

(i) any hospital with which the physician or qualified health care provider is affiliated or to which the child is brought; and

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 422 (House Bill 247) of the Acts of 2018.

Article – Education

7–205.4.

Notwithstanding any other provision of law, a county board may award credit to a high school student toward a high school diploma or a postsecondary credential, or both, for the work–based training and classroom instruction completed under a registered apprenticeship program.

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 403 (House Bill 1234) of the Acts of 2018.

11–1404.

(a) The Commission shall compare successful completers of each Program to similarly situated students who did not enroll in either Program with regard to the following characteristics:

- (1) Employment rate;
- (2) Wage earnings; and
- (3) Job retention rate.

DRAFTER’S NOTE:

Error: Purpose paragraphs of bills being cured failed to accurately describe the changes made by the bills.

Occurred: Chapters 566 and 567 (House Bill 1819/Senate Bill 615) of the Acts of 2018.

Article – Local Government

1–1312.

(c) If a county or municipality requires an alarm user or an alarm system contractor to register an alarm system, the county or municipality may impose a penalty against an alarm system contractor for failure to register an alarm system only if:

- (1) the alarm system contractor requested a dispatch to an alarm user; and
- (2) the alarm system contractor failed to register the alarm system.

(d) If a county or municipality requires an alarm user or an alarm system contractor to renew an alarm system's registration, the county or municipality may impose a penalty against an alarm system contractor for failure to renew an alarm system's registration only if:

- (1) the alarm system contractor requested a dispatch to an alarm user;
- (2) the alarm system contractor failed to renew the alarm system's registration; and
- (3) the county or municipality provided the alarm system contractor notice that:
 - (i) the alarm system's registration expired;
 - (ii) the alarm user or the alarm system contractor did not renew the alarm system's registration; or
 - (iii) the alarm system's registration has been suspended.

DRAFTER'S NOTE:

Error: Purpose paragraphs of bills being cured failed to accurately describe the changes made by the bills.

Occurred: Chapters 477 and 478 (House Bill 1117/Senate Bill 927) of the Acts of 2018.

Article – Public Utilities

7–204.

(a) (1) Notwithstanding any other provision of this division, at least 30 days before a hearing, a public service company shall provide to each owner of land and each owner of adjacent land, by certified mail, written notice of intent to run a line or similar transmission device over, on, or under the land.

7–207.

(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice immediately or require the applicant to provide notice immediately of the application to:

(vi) for a proposed overhead transmission line, each owner of land and each owner of adjacent land; and

7-208.

(e) (1) On the receipt of an application under this section, together with any additional information requested under subsection (d)(2) of this section, the Commission shall provide notice to:

(i) for a proposed overhead transmission line, each owner of land and each owner of adjacent land;

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 282 (House Bill 869) of the Acts of 2018.

Article – State Government

2-407.

(a) The Committee has the following functions:

(8) at least every 2 years, to review and update as necessary the antiharassment policy and procedures of the General Assembly to create and maintain an environment in which all members and employees are treated with respect and are free from unlawful discrimination and harassment.

DRAFTER'S NOTE:

Error: Function paragraph of bill being cured incorrectly indicated that § 2-407(a)(9) and (c) of the State Government Article were being added.

Occurred: Chapter 525 (House Bill 1342) of the Acts of 2018.

Article 19 – St. Mary's County

113-1.

C. The Commission shall elect one (1) of its voting members as Chairman and one (1) of its voting members as Vice Chairman, who shall serve in the absence or disability of the Chairman. The Commission shall appoint and fix the compensation of a Director, a Secretary, and engineering, legal, clerical and other personnel which the Commission deems necessary to carry out the provisions of this chapter. The Commission may offer a contract to the Director and Assistant Director. The Commission may, by contract, appoint and fix the compensation of a General Counsel, Treasurer or Chief Financial Officer, Chief

Engineer, and any other department director. The Director may not serve concurrently as the Director and as General Counsel to the Commission. The Director shall be the immediate supervisor of the General Counsel, Treasurer or Chief Financial Officer, Chief Engineer, and any other department director.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 108 (House Bill 275) of the Acts of 2018.

SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes contained in this Act are not law and may not be considered to have been enacted as part of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, March 27, 2019.