



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

Issue 08-13

March 31 – April 4, 2008

(Click on Issue above for previous Wrap-Ups)

LAST DAYS OF THE 2008 SESSION

During the last days of each session, legislators are very involved with floor action, conference committees, and second chamber committee hearings. At this point in the 2008 session, 396 bills have passed and 974 bills have failed, with 1,270 measures pending. *Sine die* is April 7 at midnight. At that hour, a bill that has not passed both chambers in identical form has failed and must be introduced at another regular or special session for further consideration.

FIRST BILL SIGNING

The Governor signed six bills on Thursday, April 3. These enactments make changes in Maryland's mortgage, mortgage fraud, and foreclosure statutes. The new laws are discussed under REAL PROPERTY.

COURTS AND CIVIL PROCEEDINGS

Child Support Payments

The House amended and passed [SB 198](#) to collect from a child support obligor, in addition to child support payments, an annual collection fee of \$25 for cases in which the family never received temporary cash assistance and has received at least \$500 in child support payments during the fiscal year. Currently the \$25 is deducted from the obligor's child support payments, and that requirement is set to expire at the end of September. A federal law requires the fee to be collected or the State will risk a reduction in federal funds for child support enforcement. [SB 198](#) provides that if the annual fees that are collected are less than the amount necessary to offset the reduction in federal funds, the difference is to be made up in the State budget by general fund appropriations. The bill's provisions expire at the end of September 2010.

Failure to Report

Defeated in a House committee, [SB 243](#) (failed) would have made it a misdemeanor for a health practitioner, police officer, educator, human service worker, medical examiner, or parole and probation agent to fail to report suspected child abuse or neglect, punishable by a fine of up to \$1,000.

CRIMES, CORRECTIONS, AND PUBLIC SAFETY

Custodial Interrogations and Cockfights or Dogfights

This week the General Assembly sent the Governor passed measures relating to:

- Custodial interrogations - [HB 6](#) (passed) requires a law enforcement unit to make reasonable efforts to create an audio or audiovisual recording of custodial interrogations of persons suspected of committing murder, rape, or a sexual offense, whenever possible, and to promote establishment of interrogation rooms capable of creating audiovisual recordings; and
- Attendance at a cockfight or dogfight - [HB 719](#) (passed) increases the penalty for the misdemeanor crime of attending a cockfight or dogfight to a maximum of a year in jail and a \$2,500 fine. The companion bill is poised to pass as well ([SB 44](#)).

Alcohol Consumption

[SB 166](#), on the verge of passage, increases the fine for the civil offense of furnishing an alcoholic beverage for consumption to a person under 21 or allowing a person under 21 to possess or consume an alcoholic beverage at the adult's residence, with certain exceptions. The fine increases from \$1,000 to \$2,500 for a first violation and from \$1,500 to \$5,000 for a subsequent violation.

Funerary Objects

A Senate committee has approved [HB 353](#) to require a person who commits the misdemeanor crime of destroying a funerary object or plant in a cemetery to pay for the restoration of the damaged or defaced property to the property's owner or the cemetery's owner.

Final Protective Orders

As passed by the Senate, [HB 182](#) requires a court, at the request of a person who was granted relief under a previous final protective order, to issue a new final protective order against a respondent of the previous order who was convicted and served jail time of at least five years for attempted first or second degree murder; first degree assault; or first or second degree rape or

sexual offense or attempted rape or sexual offense that was the underlying act of abuse. Unless terminated at the request of the victim, the new final protective order is permanent. The companion bill, [SB 393](#), is waiting for a House committee report.

Death Penalty Commission

The House and Senate are working on reconciling their differences in the composition of a Maryland Commission on Capital Punishment that is established under [SB 614/HB 1111](#).

ECONOMIC AND BUSINESS ISSUES

Unemployment Insurance - Eligibility

Successful legislation ([HB 749](#) passed) allows an individual who voluntarily leaves employment to follow a spouse - whose employer requires a transfer to a new location - to receive unemployment insurance benefits. The spouse has to be a member of the U.S. military or a civilian employee of the military or a related federal agency. The bill takes effect June 1, 2008.

Utilities

Legislation is moving through the process in each chamber that codifies the settlement agreement that will resolve pending litigation and other disputed matters between the State of Maryland, certain State officials, and various Constellation Energy Group, Inc. companies, including BGE. In the settlement agreement, the parties acknowledged and agreed that the terms of the agreement are subject to enactment of this bill. The parties agreed on specified issues, including: Calvert Cliffs decommissioning, a \$187 million BGE electric rate credit to residential customers, the terms of collection of the return component of BGE's residential SOS, resolution of ongoing PSC proceedings, and elimination of Public Service Commission's obligation to prepare certain final reports to the General Assembly ([SB 1013/HB 1626](#)).

Another utility-related bill, [HB 608](#) (passed), requires electric companies and gas companies to notify affected customers of energy efficiency and conservation charges and benefits at least annually on the company's website or included with billing information. The companion bill, [SB 417](#), is moving through the House.

Gasoline Pricing

Defeated bills would have established a Task Force to Study Gasoline Zone-Pricing in Maryland. Zone-pricing refers to a marketing practice that gasoline refiners use to establish different dealer prices according to

geographic area and based on the nature of competitive forces in a particular area ([SB 949/HB 1138](#) both failed). Another bill, [HB 1601](#) (failed) would have repealed the prohibition against retail service station dealers selling motor fuel below cost except under limited circumstances.

Fallen Soldier Privacy Act

[SB 3](#) (passed) prohibits a person from knowingly using the name, portrait, picture, or image of a soldier killed in the line of duty for specified purposes without prior consent from individuals such as the soldier, the surviving spouse, or the majority of heirs. The crossfiled bill, [HB 64](#), is nearing passage.

Corporations

Approved legislation, [SB 556/HB 728](#) (both passed), alter the circumstances under which a stockholder of a Maryland corporation who objects to specified transactions may demand and receive the fair value of the stockholder's stock. Other legislation, also approved, alters and updates various provisions governing corporate procedures related to the Maryland General Corporation Law ([SB 696 /HB 743](#), both passed).

Lilly Ledbetter Fair Pay Act of 2008

Both bills that would have expanded the time period for which an employee may seek back pay in certain circumstances did not advance this session ([SB 563](#) withdrawn/[HB 439](#) failed).

EDUCATION

Truancy

[SB 96](#) (passed) cleared both chambers. This bill leads the way for schools to implement Positive Behavioral Intervention and Support (PBIS) programs to help combat unexcused absences in schools with a habitually truant rate that rises above 8% of enrollment during the 2008-2009 school year. Each school year thereafter, the maximum allowable habitual truancy rate drops to a lower percentage, until a truancy rate of only 1% will trigger the need for a school district to train staff to implement a unified, system-wide PBIS program. The companion bill, [HB 285](#), is in the Senate.

Financial Literacy

[SB 533](#) (passed) will create a task force to study how to improve financial literacy in the State. One facet of study for the task force will be to determine the utility of teaching financial literacy as part of primary and secondary education courses. The companion bill ([HB](#)

1242) has received a favorable report from a Senate committee.

Alternative Education Information

The House passed an amended [SB 264](#) that limits which students county school boards should reach out to with information about alternative education programs and GED testing locations. An amendment eliminates targeting students who intend to dropout, focusing instead on former students who have already left school. The companion bill, [HB 953](#), has been reported favorably out of a Senate committee.

Funding for BRAC-related Initiatives

The Senate has joined the House in passing [HB 704](#) (passed), which includes BRAC-related initiatives as an allowable use of the Higher Education Investment Fund (HEIF).

ELECTIONS AND ETHICS

Late this week a new introduction in the Senate ([SB 1014](#)) addresses filling a recently vacated seat in the U.S. House of Representatives from Prince George's County. The bill specifies the circumstances under which a special general election to fill the seat may be held without first holding a special primary election.

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Pending Legislation

Administration bills continue to move through the legislative process. They include:

- [SB 205/HB 374](#) - EmPOWER Maryland Energy Efficiency Act;
- [SB 209/HB 375](#) - Renewable Portfolio Standard Percentage requirement acceleration;
- [SB 213/HB 369](#) - Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund;
- [SB268/HB368](#) - Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program; and
- [SB 844/HB 1253](#) - Chesapeake and Atlantic Coastal Bays Critical Area Protection Program.

Passed Legislation

Three bills that have passed both houses include:

- [SB 590/HB 1193](#) (both passed) to expand the statute of limitations for violations of the Environment Article to three years from the time that the Secretary of the Department knew or should have known about the violation, amended to apply prospectively only; and
- [HB 543](#) (passed) to create the Dairy Farmer Emergency Trust Fund to provide financial assistance to dairy farmers during periods of economic hardship due to depressed milk prices has passed. The companion bill, [SB 503](#) (failed), received an unfavorable committee report earlier in the session.

Maryland Clean Energy Center

The Senate gave a green light to [HB 1337](#) that establishes the Maryland Clean Energy Center to promote and assist the development of the clean energy industry in the State and the Maryland Clean Energy Technology Incubator Program. Amended to read the same as [SB 977](#), which remains in House committee, the bill requires coordination with the Maryland Energy Administration. In similar action, [HB 581](#), which allows new community sewerage systems that are replacing individual septic systems to qualify for grants or loans from the Bay Restoration Fund has received a favorable report in the Senate; the bill is amended to read the same as [SB 831](#) that is moving in the House.

Energy Efficiency

[SB 208](#), which requires new State buildings and renovations including state-funded school construction to use energy efficient techniques, has received preliminary approval in the House. The crossfiled bill, [HB 376](#), remains in a Senate committee

Failed Legislation

A bill that would have required a percentage of state-owned vehicles to be flexible-fuel vehicles capable of using gasoline or blends of gasoline and ethanol beginning in fiscal 2010 was unsuccessful ([SB 342](#), failed), as was [HB 907](#) (failed) that would have established a Sustainable Energy Task Force to study and make recommendations regarding the creation of sustainable energy programs.

FINANCIAL INSTITUTIONS AND COMMERCIAL LAW

Consumer Protection - Fur Labeling Requirements

[HB 834](#) (failed) received an unfavorable report from a House committee. The legislation would have prohibited

a person from displaying for sale, offering for sale, or selling any article of clothing made wholly or partly of “animal fur” unless a specific label or tag was attached to the article of clothing. The legislation would have also authorized the Attorney General to initiate civil action against any person who violated the provisions of the bill.

FISCAL MATTERS

Budget Bill Actions

The Budget Bill, [SB 90](#), is still in a Senate/House conference committee.

This week the Governor submitted a \$241 million second supplemental budget to the Budget Bill. The supplemental budget includes:

- \$10 million for fiscal 2008 for the “Heritage Structure Rehabilitation Tax Credit”;
- \$7 million for fiscal 2008 for the Uncompensated Care Fund;
- \$7.7 million for fiscal 2008 for electricity rate assistance for low-income residents;
- \$58.2 million for fiscal 2008 for medical assistance;
- \$97.2 million for State universities and colleges for fiscal 2008 and 2009;
- \$7.2 million for low-income housing; and
- \$1.4 million to the State Police concerning collecting DNA evidence on arrest contingent upon the enactment of [SB 211/HB 370](#).

Capital Budget Legislation

[SB 150](#), the “Maryland Consolidated Capital Bond Loan of 2008,” passed the House with amendments which the Senate rejected. A conference committee has been appointed to resolve the differences. The House maintained [SB 150](#)’s authorization amount of \$886.1 million and a total general obligation bond authorization amount of \$935 million. Among the House amendments are:

- Rockville District Court authorization decreased by an additional \$1 million to \$ 40.9 million and the amount authorized for 2009 increased by this \$1 million to \$30.4 million;
- Public school construction authorizations increased to \$327.4 million from \$325 million;
- Community Parks and Playgrounds reduced to \$5 million from \$5.1 million;

- Oyster Restoration Program funding partially restored with a \$1 million authorization;
- Oral Health Safety Net program added to the bill with a \$500,000 authorization; and
- Public Library Capital Grant Program reduced by \$1.5 million to \$3.5 million.

The University of Maryland College Park has three projects added to the capital budget. The projects, which had been deleted from the Budget Bill, address the Physical Science Complex-- \$4 million authorization, the School of Public Health -- \$7.5 million authorization, and the Biology-Psychology Building--\$1.5 million authorization. Another change included the deletion of the authorization for the State Police barracks and garage at Hagerstown, for a \$14.8 million reduction. The specific local projects, known as Local House Initiatives, authorization totals \$12.5 million.

Repeal of the Computer Services Tax

[SB 46](#) repealing the expansion of the sales tax to computer services and adding an additional income tax rate for individuals and couples with incomes over \$1 million, has passed third reading with amendments in the Senate. Re-named the “Budget Financing Act,” as amended, [SB 46](#) repeals the sales tax on computer services and restores provisions relating to their exemption which were in the law prior to the 2007 special session.

To alleviate the general fund loss from repealing the tax, the bill imposes a temporary surcharge in tax years 2008 through 2010 of 6.25% on the amount of taxable personal income that exceeds \$1 million dollars. The bill also diverts \$50 million of the sales tax revenues that were dedicated to the Transportation Trust Fund during the special session to the general fund instead, for a period of five years. Finally, the bill directs the Governor to take \$50 million in FY 2009 ongoing budget reductions to the Board of Public Works by July 1, 2008. By repealing the computer tax, general fund revenues could decrease by \$200 million and Transportation Trust Fund revenues could decrease by \$14 million in FY 2009. The 6.25% income surcharge is expected to generate approximately \$110 million annually.

There were five proposed floor amendments to [SB 46](#), all of which failed. The amendments would have maintained the repeal of the expansion of the sales tax to computer services and would have repealed the income tax increase provisions, while offering various options for balancing the budget including diverting revenue from the Transportation Trust Fund, requiring additional

budget reductions, and requiring the Governor to transfer \$114 million of the Maryland Automobile Insurance Fund surplus to the general fund.

Additional Fiscal Measures

[SB 444/HB 664](#) (both passed), a corporate tax reporting bill, has been approved by both houses. Other bills, [SB 854/HB 1211](#) (both passed), concerning property tax sales, have also been approved and are ready for presentation to the Governor.

An amended [SB 383](#), concerning the tax on little cigars and moist snuff, has had a hearing in the House committee. The bill now alters the existing State tax on moist snuff tobacco from 15% of its wholesale price to \$0.39 for up to 1 ounce. Other language dedicates revenues from the moist snuff tobacco tax to the Cigarette Restitution Fund for cancer research and strikes provisions in the bill relating to little cigars.

GAMING, RACING, AND SPORTS

Sports

The mixed martial arts bills ([SB 649/HB 795](#)) are moving in their opposite chambers. Both amended bills seek to place regulation on mixed martial arts contests and its athletes by the State Athletic Commission. [SB 649](#), as amended, adds language requiring the Commission to adopt regulations that will ensure the safety of participants by limiting acceptable maneuvers, setting time limits for rounds, and creating rules for ending a contest.

HEALTH CARE AND HEALTH INSURANCE

Medical Assistance and Children's Health

[HB 115](#) (passed) has moved to the Governor's desk. The bill requires the Department of Health and Mental Hygiene to collaborate with the Comptroller and the Treasurer to develop one-sentence statements, to be printed on each state-issued child support payment stub, advising individuals who cannot afford health insurance that they may be eligible to enroll in Medicaid or the Maryland Children's Health Program.

Pharmacy Benefits Managers

Additional bills relating to pharmacy benefits managers (PBMs) advanced further in the legislative process this week.

- [SB 724/HB 120](#), which generally relate to information disclosure by PBMs, have both passed in the Senate. The Senate has amended [SB 724/HB](#)

[120](#) to strike language that relates to the imposition of civil penalties and possible payments of restitution by PBMs for violations of the bill's provisions. This language appeared in the original texts of both bills and the House did not choose to strike this provision from [HB 120](#), so the chambers will have to reconcile this difference.

- [SB 725](#) has passed the Senate. This legislation, which concerns a PBM's contracts with pharmacies, has been amended to extend applicability of the legislation to individual pharmacists in addition to pharmacies. The definitions of the principal terms in the bill have also become more specific by amendment. The term "pharmacy benefit management services" has been further defined in the proposed statute. Also, the amendments include additional provisions regarding the terms of contract between a PBM and a pharmacy or pharmacist and amends the provisions related auditing of pharmacies or pharmacists by a PBM. Companion legislation, [HB 257](#), has received a favorable with amendments report by a Senate committee, but has not been reported on the floor.
- [HB 343](#), which had previously passed the House, has now passed the Senate with amendments. This bill prohibits a PBM or its agent from requesting a therapeutic interchange (from one prescription drug to another), unless certain requirements are met. A Senate amendment to the bill eliminates language regarding the assessment of a civil penalty for violations of the requirements in this bill, which still appears in the House's version. This bill's companion, [SB 723](#), had a hearing with a House committee this week.
- [HB 580](#), as amended, establishes various requirements for a pharmacy and therapeutics committee of a PBM, has passed the Senate. The bill calls for a PBM to adopt certain policies and procedures for the committee and additionally, requires the PBM to disclose the information about the committee to the purchaser if requested. Companion legislation, [SB 720](#), is moving on the House floor.

Artificial Tanning Devices - Protection of Minors

[HB 1358](#) (passed), which prohibits the use of artificial tanning devices by minors without the written consent of a parent or guardian on the premises of the facility, has passed in the Senate after much debate. The Senate passed the House's amended version of the original legislation. The bill now awaits the Governor's approval.

Senior Prescription Drug Assistance Program (SPDAP)

[SB 906/HB 1492](#) (both passed) are Administration bills that require CareFirst BlueCross BlueShield, beginning January 1, 2009, to annually provide \$4 million to SPDAP. Funds must be provided only if CareFirst's surplus exceeds 800% of the consolidated risk-based capital for the preceding calendar year. Funds must be used to subsidize the Medicare Part D coverage gap. Both bills now move to the Governor's desk.

Maryland Veterans - Afghanistan and Iraq Conflicts

The Senate and the House concurred on the passage of [SB 210](#) (passed), which establishes behavioral health service coordination among the Department of Health and Mental Hygiene, the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, the Maryland National Guard, and the Maryland Defense Force for veterans of the Afghanistan or Iraq conflicts. House amendments include an additional requirement for the Veterans Behavioral Health Advisory Board that is created by the bill. The added language indicates that, in addition to other recommendations, the Advisory Board make recommendations on methods to provide behavioral health services to individuals who are not eligible for benefits from the United States Department of Veterans Affairs due to a dishonorable discharge or release for a reason relating to substance abuse or mental illness. The crossfiled legislation, [HB 372](#), is moving on the Senate floor.

[SB 872/HB 984](#) (both failed) would have established a Veterans of Afghanistan and Iraq Mental Health Pilot Program at the Montgomery County General Hospital.

Long-Term Care Insurance - Genetic Tests

The General Assembly approved for the Governor's consideration both [SB 918](#) and [HB 29](#) (both passed) that prohibits a carrier or an insurance provider of a carrier that provides long-term care insurance from requesting or requiring a genetic test, or using specified genetic information to deny or limit long-term care insurance coverage or charge a different rate for the same long-term care insurance coverage. A carrier is allowed to use the results of a genetic test or genetic information only when the use is based on sound actuarial principles.

REAL PROPERTY, ESTATES, AND TRUSTS

On April 3, 2008, the following emergency Administration bills were signed by the Governor. Emergency legislation takes effect from the date that the legislation is enacted.

[SB 216/HB 365](#) (Chapter 1 and Chapter 2, Acts of 2008) change the laws governing recordation and foreclosure of mortgages and deeds of trust. The bills alter the requirements for recordation, notice, service of process, court filings, and cure of defaults. Provisions include lengthening the foreclosure process and providing homeowners with more time and notice before a foreclosure sale and codifying the right to cure, which allows homeowners to stop foreclosure by paying what is owed up until one business day before the sale;

[SB 217/HB 360](#) (Chapter 3 and Chapter 4, Acts of 2008) create a comprehensive mortgage fraud statute with criminal penalties and authorize the Attorney General, a State's Attorney, and the Commissioner of Financial Regulation to enforce the statute. The new law also authorizes a private right of action for violations of the statute. Provisions include imposition of fines and imprisonment for violators and authorization for court-ordered restitution and forfeiture and enhanced penalties for cases involving vulnerable adults; and

[SB 218/HB 361](#) (Chapter 5 and Chapter 6, Acts of 2008) alter several provisions of law including prohibiting foreclosure rescue transactions, broadening the scope of the current law, and expanding the enforcement powers of the Commissioner of Financial Regulation. The changes are aimed at providing additional consumer protection for people who are trying to sell their homes because they are in default.

Failed Legislation

Other legislation related to foreclosure issues did not advance this session:

- [SB 17](#) (failed) would have changed timing requirements for written notices of foreclosure that must be mailed to the record owner of residential real property by a person authorized to make a sale in an action to foreclose a mortgage or deed of trust on the property;
- [HB 58](#) (failed) would have granted a homeowner the right to rescind a contract for the sale of a residence in foreclosure within three business days after the contract is executed;
- [HB 59](#) (failed) would have created a duty for a foreclosure consultant to provide written copies of any research regarding the value of a residence in foreclosure to the homeowner, and adds a statement of this duty to the language required in a foreclosure consulting contract. Foreclosure consultants would have been required to provide to the homeowner any such research they have, including any information on sales of comparable properties or appraisals;

- [HB 67](#) (failed) would have made a number of changes to the foreclosure process in Maryland; and
- [HB 682](#) (failed) would have amended the Maryland Condominium Act and the Maryland Homeowners' Association Act to state that a grantee is jointly and severally liable with the unit or lot owner as of the date of a foreclosure sale for the portion of the lien imposed on the unit owner under the Maryland Contract Lien Act in an amount up to six months of assessments that are due without acceleration as of the date of the foreclosure sale.

[SB 406](#) (failed) was withdrawn. The bill would have prohibited a holder of a certificate of sale from filing a complaint of foreclosure on the right of redemption for property sold at a tax sale unless three months notice is given by the certificate holder to the owner or any other person that has an estate or interest in the property.

TRANSPORTATION

Towing and Towed Vehicles

Several bills seek to clarify Maryland law associated with towed and towing vehicles. Passed measures include two bills that require the driver of a towing vehicle to use one or more defined towing devices to connect to any type of towed vehicle, commercial or otherwise. A maximum penalty of \$1,000 is authorized for a violation that leads to serious bodily injury or death ([SB 174](#) passed and [HB 1119](#) passed). A pending proposal establishes a Task Force to Study Motor Vehicle Towing Practices ([HB 684](#)). The bills respond to an accident on the Chesapeake Bay Bridge caused by a runaway trailer that resulted in three deaths.

Speed Monitoring Systems

Bills related to the use of speed monitoring systems statewide and in highway work zones are pending ([SB 269/HB 364](#)). A local bill on the same subject has won Senate approval and has moved to the House. [SB 963](#) authorizes local governments in Prince George's County to operate speed monitoring systems under certain circumstances. Testimony indicated that Prince George's County would like the flexibility to use speed cameras in dangerous areas other than residential districts and school zones to detect and prevent road racing.

Quiet Vehicles and Pedestrian Safety

Organizations representing visually impaired persons, such as the National Federation of the Blind, and traffic safety advocates have expressed concerns about the production of electric and hybrid motor vehicles. The vehicles are so quiet that it could be difficult for

someone, but especially a person who is blind or visually impaired, to detect their presence. Under [SB 276/HB 1160](#) (both passed), the Maryland Quiet Vehicles and Pedestrian Safety Task Force will be charged with studying the effects of vehicle sound on pedestrian safety and all available technology that may enhance the safety of blind pedestrians. Both bills have passed the General Assembly.

Motor Vehicle Accident Reports – Access

An emergency bill, [SB 796](#) (passed) prohibits a person from accessing a motor vehicle accident report for the purpose of soliciting another person to sue or to retain a lawyer to represent the other person, provides that a violation is subject to maximum penalties of imprisonment for one year and/or a fine of \$1,000, and repeals provisions of law restricting access to and disclosure of motor vehicle accident reports.

Motorcycles

Legislation to authorize the use of auxiliary lighting on motorcycles was successful ([SB 713/HB 1168](#), both passed). Proponents testified that the lights are a safety feature for use at night.

Motor Vehicles – Transporting Children

[SB 789](#), pending in a House committee after a hearing this week, expands the child safety seat requirement to all children being transported in motor vehicles registered in Maryland who weigh 50 pounds or less. The bill applies the current fine of \$25 to those who violate this requirement. The bill takes effect June 30, 2008. Under current law, the mandatory use of child safety seats applies to the transportation of a child who is either younger than age six, regardless of weight, or weighs 40 pounds or less, regardless of the child's age.

Early in the session, [SB 785](#) (failed) was rejected by a Senate committee. The bill would have expanded the Clean Indoor Air Act of 2007 to prohibit a person from smoking a tobacco product in a vehicle in which a child younger than age six is a passenger.

Bill status for this *Wrap-Up* is current as of April 4, 2008, at 5:00 p.m. A *Wrap-Up* with the final status of bills will be published on Thursday, April 10, 2008.