



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

Issue 10-12

March 29 - April 2, 2010

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SINE DIE IS COMING

With ten calendar days remaining in the 2010 session, 2,698 bills have been introduced—1,129 in the Senate and 1,569 in the House. Of these, 46 bills have passed both chambers. The 2010 session is the fourth in the term that began in 2007.

COURTS AND CIVIL PROCEEDINGS

Strategic Lawsuits Against Public Participation (SLAPP)

A SLAPP suit is a lawsuit brought in bad faith that is intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition. SLAPP suit laws protect individuals and groups, many with few assets, from defending costly legal challenges to their lawful exercise of constitutionally protected rights such as free speech, assembly, and the right to petition the government.

[HB 1250](#), as amended and passed in the House, strengthens current law by expanding SLAPP status to apply to communications by a party with a government body or the public at large regarding any issue of public concern and providing that a defendant in a SLAPP suit is not civilly liable for communicating with a government body or the public at large if the defendant acts without constitutional malice in exercising rights protected by federal or State constitutional rights of free speech regarding any issue of public concern.

Journalist Privileges – Students

[HB 257](#) passed a preliminary Senate floor vote, with no Senate amendments, to expand eligibility for “shield law” privileges to include postsecondary students engaged in any news gathering or disseminating capacity recognized by their schools as a scholastic activity. Maryland “shield law” provides that no person may be compelled by certain bodies to disclose the source of any news or information procured by the person while employed by the news media or any news or information procured but not communicated to the public.

Child Protection – Sex Offenders

As amended and approved by the House, [HB 1330](#) requires the disclosure of a report or record concerning child abuse or neglect to the Division of Parole and Probation if, as a result of a report or investigation of suspected child abuse or neglect, the local department of social services has reason to believe that an individual who lives in or has a regular presence in a child’s home is a registered child sex offender.

Attorney General Impeachment

[HS 1](#) (failed), a simple resolution to impeach the Attorney General of Maryland, was introduced in the House and defeated in committee this week. Referring to actions by the Attorney General with regard to the issue of same-sex marriage in Maryland, the measure would have impeached the Attorney General for incompetency, willful neglect of duty, violating his oath of office, obstruction of justice, and usurping the authority of the Maryland General Assembly. In February, the Attorney General stated in a formal opinion that “while the matter is not free from all doubt, in our view, the Court is likely to respect the law of other states and recognize a same-sex marriage contracted validly in another jurisdiction.”

Divorce – Alteration of Separation Requirements

[SB 577](#) (failed) would have reduced the period of time the parties in an action for divorce based on the grounds of separation must have lived separate and apart without cohabitation and without interruption before filing for absolute divorce from 2 years to 12 months and also would have altered the grounds for an absolute divorce based on *voluntary* separation by reducing the separation period from 12 months to 6 months. The bill failed in committee.

Civil Litigation Funding Companies

[HB 1331](#) (failed), which would have regulated civil litigation funding companies, but would not have subjected them to restrictions or provisions governing loans, was withdrawn by its sponsor.

CRIMES, CORRECTIONS, AND PUBLIC SAFETY

Blue Alert – Law Enforcement Officers

Under [HB 1473](#), which passed the House, the Department of State Police must establish a Blue Alert Program to provide a system for rapid dissemination of information to assist in locating and apprehending an individual who is suspected of killing or seriously injuring a law enforcement officer. Among other provisions, the program must provide relevant information to the public through a statewide dynamic message sign system.

Guns

The Senate passed [SB 274](#) to expand the prohibition against and penalty for possession of certain firearms by a person previously convicted of a certain crime of violence or drug-related crime.

The Firearm Safety Act of 2010 ([HB 820](#), failed) would have added grounds for disapproval or suspension of a firearms dealer's license; created requirements for a handgun purchase permit; stiffened penalties for the illegal sale, transfer, or possession of firearms or participation in a straw purchase; added firearm dealer recordkeeping and reporting requirements; and allowed a law enforcement officer in a criminal investigation to intercept a wire, oral, or electronic communication to provide evidence of certain firearm violations. The bill failed a committee vote.

Gangs

On Friday, the House gave initial approval to [HB 756](#) that is intended to strengthen Maryland gang laws. The bill alters the definition of "criminal gang" and expands the list of underlying crimes that serve to prove criminal gang activity. Other provisions require a sentence for subsequent gang participation offenses or gang participation offenses that result in the death of a victim to run consecutively to any sentence for an underlying crime on which the conviction was based. Additionally, the bill makes organizing, supervising, financing, or managing a criminal gang a felony.

Sex Offenders

Diminution credits may not be earned to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing rape or first or second degree sexual offense against a child under the age of 16 under the provisions of [SB 395](#), as amended and preliminarily passed in the Senate.

The Senate gave preliminary approval to [SB 622](#) to increase the penalties for a person 18 years of age or

older convicted of second degree rape or second degree sexual offense of a victim younger than the age of 13. The bill increases the mandatory minimum sentence from 5 years to 20 years imprisonment and increases the maximum term of imprisonment from 20 years to life. The companion bill, [HB 254](#), passed the House last month with a mandatory minimum sentence of 15 years.

Human Trafficking

The House passed [HB 1322](#) in a form identical to [SB 542](#), which was approved in the Senate last week. The bills require the Department of Labor, Licensing, and Regulation (DLLR) to design and place on its website a sign that states the phone number for and other information about the National Human Trafficking Resource Center hotline. A lodging establishment that is located on property where arrests leading to convictions of prostitution, solicitation of a minor, or human trafficking have occurred may be issued a civil citation that requires it to post prominently in each guest room for one year a sign identical to the DLLR sign. The maximum civil penalty for violating the posting requirement is \$1,000.

Immigration Status and Law Enforcement

Failed measures would have required the State to forward to the U.S. Immigration and Customs Enforcement Agency certain immigration information or immigration status of sentenced individuals or inmates and information about their crimes ([SB 227/HB 1264](#) and [HB 1012](#), all failed). Also defeated in committee, [HB 866](#) (failed) would have required each law enforcement agency in the State to participate in a federal program in which State and local law enforcement officers may carry out the functions of an immigration officer as to the investigation, apprehension, or detention of individuals who are not lawfully present in the United States.

ECONOMIC AND BUSINESS ISSUES

Renewable Energy Portfolio Standard – Solar Energy

After a lengthy discussion about how much the legislation would cost, an Administration bill related to solar energy received approval from the Senate this week. [SB 277](#) increases the amount of electricity required to be generated from solar sources between 2011 and 2020, as well as increases the amount charged to electricity suppliers for solar energy shortfalls. Committee amendments address permissible waivers and specify that the bill applies prospectively.

Electricity – Consumer Choice

The House passed [HB 1372](#), which requires the Public Service Commission (PSC) to provide comprehensive and specific user-friendly information on electric customer choice on its website. The website must include commonly asked questions, information on contract and service issues, contact information for active competitive suppliers, and current offers in the various service territories. The PSC must convene a workgroup to advise on implementation of the bill and to recommend additional education mechanisms.

To facilitate customer choice, an amended [HB 1340](#), now in the Senate, requires each distribution utility, on request, to provide competitive suppliers with certain customer account information for its residential and small commercial customers under certain conditions. Each electric company and gas company must provide notice to its customers and grant each customer the opportunity to “opt-out” of having their customer information shared with competitive suppliers. A floor amendment addresses required steps to be taken if a customer withdraws authorization for the use of customer information. Electric and gas cooperatives are exempt from the bill.

Failed measures that addressed enhanced customer education and aimed to start Maryland on the path to re-regulation of the electric utility industry include [HB 697](#), [SB 661](#), [HB 744](#), [SB 942](#), [SB 799](#), [HB 1231](#), [SB 837](#), and [SB 807](#) (all failed).

Healthy Retail Employee Act

[SB 789](#) and [HB 1299](#) are now in opposite chambers. The legislation requires employers who operate retail establishments to offer nonworking shift breaks to their employees, if the businesses employ 50 or more people in one location or in multiple franchised locations that operate under the same trade name. The legislation does not apply to units of State, county, or municipal governments or to employees entitled to an equivalent or greater benefit under a collective bargaining agreement. The legislation also does not apply to employees who are exempt under the federal Fair Labor Standards Act.

Sales of Previously Sold Undergarments and Bathing Suits – Prohibited

Recently introduced legislation prohibits the sale of undergarments and bathing suits that may have been previously worn. Specifically, [SB 1127/HB 1560](#) prohibit a retail establishment from selling an undergarment or bathing suit that is unpackaged or in an open package and has been previously sold and returned to the retail establishment. The bills do not apply to merchandise marketed as used or secondhand or sealed

in unopened packaging or to bathing suit tops sold separately from bathing suit bottoms.

Current State law does not address the sale of bathing suits or undergarments. Some stores have a no return policy, while others sell previously sold items that were returned with the price tags still in place. Legislation introduced in New York prohibits consumers from trying on an undergarment prior to purchasing the item.

Junk Dealers/Scrap Metal Processors – Required Records

Deliberations are continuing on [SB 99](#) and [HB 1174](#) that alter recordkeeping requirements for these dealers and processors that operate in the State. Proponents agree that as the price of copper has increased over the past few years, so has the number of thefts of catalytic converters, cemetery markers and memorial plaques, and destruction of irrigation systems. This bill seeks to remedy that problem by making it hard for thieves to sell the stolen scrap metal or junk.

Labor and Employment – Credit Checks

[HB 175](#) and [SB 312](#) (both failed) would have prohibited an employer from using an individual’s credit report or credit history as a basis to deny employment to a prospective employee, discharge an employee, or determine compensation or other conditions of employment. With specific exceptions, pending federal legislation proposes to expand consumer protections by prohibiting a current or prospective employer from using a consumer credit report for either employment purposes or for taking an adverse action, if the report contains information that bears upon the consumer’s creditworthiness, credit standing, or credit capacity.

EDUCATION

Public Education – Maintenance of Effort (MOE)

Among the many bills before the legislature this session that address the MOE process, [HB 304](#) passed the House and has been heard by a Senate committee. The bill expands the factors that must be considered when determining whether to issue a waiver for the county MOE requirement for public schools. The State Superintendent of Schools, rather than the State Board of Education, must decide whether to issue a MOE waiver. Counties can then appeal the State Superintendent’s decision to the State board.

Public Education – The Fairness in Negotiations Act

[SB 590](#), now in the House, establishes the Public School Labor Relations Board (PSLRB), with membership representative of the various stakeholders, to administer

and enforce labor relations laws relating to public schools for local boards of education and their employees. Currently the State Board of Education has the authority to decide public school labor relations disputes, the State Superintendent holds the authority to declare labor impasses, and local boards of education make final determinations on matters subject to negotiation. In deciding labor relations matters, including resolving controversies and disputes, the PSLRB may conduct hearings and investigations, subpoena witnesses, administer oaths, and take the testimony or deposition of a person under oath.

Higher Education – Tuition Stabilization

In-state tuition for undergraduates attending University System of Maryland institutions was frozen from fiscal 2007 through fiscal 2010. In the fiscal 2011 budget, the Governor proposed to allow tuition rates to increase 3%. [SB 283](#), an Administration bill recently passed by the Senate, establishes a Tuition Stabilization Trust Account to stabilize tuition costs for resident undergraduate students. As amended, in years of increasing corporate income tax revenues, funds would be deposited into the Trust Account to maintain a balance of between 1% and 5% of total resident undergraduate tuition revenues. The bill establishes the goal that any increase in resident undergraduate tuition and academic fees at public senior institutions of higher education should not exceed the percent increase in the three-year rolling average of the State's median family income.

Public Schools – Physical Education Facilities

On its way to the Governor, [HB 334](#) requires the Maryland State Department of Education (MSDE) to adopt regulations requiring all public school buildings that are newly constructed or completely renovated and occupied on or after January 1, 2013, to include a gymnasium and support spaces for physical education instruction. MSDE must also develop guidelines for facilities for physical education programs. An amendment includes a waiver provision that allows a school renovation to be exempted from the requirements of the bill on account of land or zoning constraints. With the same language, [SB 256](#) had a House committee hearing this week.

Maryland Higher Education Commission – Review of Program Proposals

After lengthy deliberations, the Senate agreed this week to make adjustments in the way the Maryland Higher Education Commission makes decisions regarding new academic programs or substantial modifications to existing programs. [SB 1084](#) also repeals the provision in current law that makes MHEC's decisions final and not

subject to further administrative appeal or judicial review. An amendment adds that the bill may be applied only prospectively.

ELECTIONS AND ETHICS

Voter's Rights Protection Act of 2010

A recent Attorney General's Task Force on Voting Irregularities found that "organized efforts to suppress or discourage voting have occurred in Maryland" and recommended that an ongoing procedure be put in place to investigate acts of voter intimidation and to take legal action when appropriate. [SB 114](#), as passed by the Senate, authorizes the Attorney General or any registered voter to institute an action in circuit court for injunctive relief when a person, political committee, campaign finance entity, or other organization or entity has engaged, or there are reasonable grounds to believe the person or entity is about to engage, in prohibited actions related to voter registration and voting. The circuit court must hear and determine the matter as soon as practicable. The bill takes effect July 1, 2010.

Additional Election Measures

Other bills that passed in their original chambers address voter eligibility and closed captioning to assist Maryland citizens who are deaf or hard of hearing. They include [HB 444](#) (Citizens Who Have Not Lived in the United States - Right to Vote); [SB 28/HB 816](#) (Voting Rights for Individuals Under Guardianship for Mental Disability); and [HB 1086](#) (Campaign Advertisements - Closed Captioning). Measures addressing administrative procedures in election campaigns are also in the opposite chamber ([HB 378](#), [HB 692](#), [HB 788](#), [HB 806](#), and [HB 1440](#)).

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Road Salt

[SB 775/HB 903](#), as amended, require the State Highway Administration, in consultation with the Maryland Department of the Environment (MDE), to create a best practices road salt management guidance document for use by local jurisdictions and the State to minimize the environmental effects of road salt runoff in the State. The bills are in opposite chambers.

Coal Combustion By-products

[HB 1467](#), as amended and passed by the House, defines the coal combustion by-product (CCB) pozzolan and its use as structural fill. The bill requires that the use and

disposal of CCBs conform to best engineering practices and current MDE regulations.

[HB 1508](#), as amended and passed by the House, prohibits MDE from issuing a permit for a refuse disposal system that would accept CCBs or for using CCBs in noncoal mine reclamation in a critical area.

Recycling and Waste Management

[HB 982](#), as amended and passed by the House, requires MDE, in consultation with local government officials, waste haulers, and other affected parties (including material resource facilities) to conduct a study to evaluate solid waste management processes that reduce the solid waste stream through recycling and source reduction. These processes include expansion of recycling efforts in nonresidential markets, the feasibility of commodity-specific targets, and long-term funding for solid waste and recycling management in the State. An interim report must be submitted by December 15, 2010, and a final report by December 15, 2011.

[SB 462/](#)[HB 351](#) (both failed) would have created a 5 cent fee for each disposable carryout bag that a store provides to a customer and directed a certain amount of the money collected to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. [HB 1418](#) (failed), which would have required store operators to establish an in-store plastic bag recycling program and make reusable bags available for sale, was withdrawn by its sponsor. The bill would have also prohibited local bans of plastic carryout bags.

FISCAL MATTERS

Operating Budget

After extensive debate, the House passed its version of the Budget Bill, [SB 140](#). Seventy-six committee amendments were adopted, reducing the Governor's proposal by \$531.9 million and eliminating 576 positions. Fiscal 2011 appropriations are \$365.6 million less than appropriations for fiscal 2010. The Senate acted last week on its version of the budget measure. A conference committee, composed of legislators from both chambers, will be appointed to work out the differences before final passage. Among the House amendments in its version are:

- stem cell research funds are restored by \$6.2 million to \$12.4 million, the amount of the Governor's allowance;
- Senate and Delegate scholarship funds are authorized to be transferred to other State

scholarship programs. (The House repealed Senate and Delegate scholarship programs in [SB 141](#));

- highway user revenues are reduced by an additional \$1.5 million to \$141.1 million; and
- the amount of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund appropriation that may be transferred to the Maryland Department of Agriculture for the planting of cover crops is increased from \$5 million to \$9.5 million. The House also reduces the appropriation to the fund to \$10 million.

The House rejected all proffered floor amendments, including those:

- reducing the budget by \$339.9 million, including eliminating the Geographic Cost of Education Index (GCEI), reducing State university appropriations by \$51.9 million, and reducing Baltimore City highway user revenues by \$100 million;
- restricting the use of medical assistance funds for abortion;
- requiring that 50% of stem cell research funds be used for applied research; and
- reducing the GCEI by \$80 million and permitting the transfer of the funds to be used to eliminate State employee furloughs.

Budget Reconciliation and Financing Act (BRFA)

The BRFA bill, [SB 141](#), passed by the House, includes amendments that:

- do not require the counties to pay a portion of teacher's pension benefits;
- repeal the Senate and Delegate scholarship programs; and
- increase the amount for the Intercounty Connector from \$81.9 million to \$85 million for fiscal 2011, and change the allocation of highway user revenues.

Rejected amendments would have reduced further mandatory appropriations for fiscal 2011 and future years, including reducing aid to education and reducing aid to non-public colleges and universities. Other unsuccessful amendments would have reduced public higher education appropriations by \$50 million and required a 1% across-the-board General Fund reduction to State agencies. Another rejected amendment proposed, among other tax matters, that the General Assembly should adopt as policy not to increase any statewide tax, increase the sales tax base, or impose any new taxes for four years, beginning July 1, 2010.

Capital Budget

Now in the House, [SB 142](#), the Maryland Consolidated Capital Bond Loan of 2010, authorizes \$1 billion in general obligation bonds as part of the \$1.1 billion general obligation bond capital program. Among the changes made by the Senate to the capital budget are:

- substituting general obligation bonds for school construction for bond premium funds, allowing the same amount of funding: \$250 million. The Senate budget plan includes an additional \$5.1 million in bonds for the Aging Schools Program and \$4.5 million in “Qualified Zone Academy Bonds,” a \$1 million decrease for the Aging Schools Program;
- reducing Program Open Space by \$10 million by authorizing \$72.8 million, of which \$60.2 million is in general obligation bonds, while the Rural Legacy Program receives \$10.6 million, a \$17.6 million decrease. The Maryland Agricultural Land Preservation program receives \$24.1 million, of which \$10 million is in the capital bond bill, an \$11.8 million decrease; and
- reducing the Intercounty Connector bond authorization to \$112 million from \$126.9 million.

Legislative initiatives (bond bills) are allocated \$15 million in the capital budget with each house being allocated \$7.5 million. The Senate has allocated its half for various local projects.

The Senate adopted a floor amendment stating that legislative initiatives not be funded for fiscal 2012 and fiscal 2013, with the funds instead being allocated for public school construction.

GAMING, RACING, AND SPORTS

Video Lottery Terminals

An amended [SB 882](#) passed the Senate. The bill makes numerous clarifying and technical changes to the law governing the implementation and regulation of video lottery terminals (VLTs) in the State. The changes are designed to conform the procedures and regulations in Maryland law to gaming laws in other states. The bill also changes provisions of law regarding a VLT facility in Allegany County by allowing VLTs to be temporarily located in the Rocky Gap Lodge until a permanent facility is constructed. Amendments increase the distribution of proceeds to a VLT facility licensee in Allegany County for five years, but only if the VLT license holder purchases the Rocky Gap Lodge and Resort. If the Rocky Gap Lodge and Resort is purchased from the State, an amendment would repeal the

provision of law authorizing a race track in Allegany County.

HEALTH CARE AND HEALTH INSURANCE

Maryland Health Insurance Plan (MHIP) - National High Risk Pool Program

In March, President Obama signed the Patient Protection and Affordable Care Act (H.R. 3590) into law. The Act establishes a temporary national high-risk pool program as a stop-gap measure to make health insurance available to uninsured individuals, prior to the time that overall market reforms take effect in 2014. The Act sets up a temporary program to provide health coverage and subsidized premiums to U.S. citizens and legal immigrants who have preexisting medical conditions and have been uninsured for at least six months. Although H.R. 3590 includes \$5 billion for the temporary national high-risk pool program to be expended until January 2014, the amount of federal funds that Maryland will receive is unknown at this time.

In response to the federal law, emergency legislation to authorize the Board of Directors for MHIP to administer a temporary high-risk pool program for the State is moving quickly through the legislative process in both chambers ([SB 1125/HB 1564](#)). The board may limit enrollment based on the amount of federal funding available to the program and establish a separate benefit package delivery system and premium rate for enrollees according to standards for benefit packages and premium rates established under federal law for the program. The Maryland legislation terminates on the earlier of the date that the national high-risk pool program ends or MHIP ends its administration of the high-risk pool program for the State.

Nurse Practitioners - Authority to Practice

[SB 484/HB 319](#), which alter requirements for certification as a nurse practitioner, have passed their respective chambers and now move to the opposite chambers. As amended, the bills waive education requirements under certain circumstances; authorize the State Board of Nursing to establish continuing education or competency requirements for the renewal of a certificate to practice as a nurse practitioner; expand the use of temporary practice letters and licenses concerning nurse practitioners from other states; and require the State Board of Nursing, in consultation with the State Board of Physicians, to develop a plan to implement the provisions of this Act, among other provisions relating to the certification and general scope of practice of nursing practitioners in the State.

Clinically Integrated Organizations

The House passed [HB 1093](#), relating to health insurance and clinically integrated organizations. The bill defines a clinically integrated organization (CIO) as a joint venture between a hospital and physicians that meets specified requirements, including those regarding practice patterns of the health care providers.

The bill does the following:

- authorizes a contract between certain health insurance carriers and certain CIOs to include certain payment provisions;
- authorizes the Maryland Insurance Commissioner to adopt regulations pertaining to payments and incentives permissible in contracts between carriers and CIOs;
- requires the carrier to file the contract with the CIO with the Insurance Commissioner;
- requires the Insurance Commissioner to file contracts that do not conform to certain incentive provisions in the bill with the Maryland Health Care Commission (MHCC);
- provides that certain contracts are subject to some privacy protections;
- requires a CIO to submit an evaluation of its clinical integration program to the MHCC; and
- requires the MHCC to report a summary of the evaluation to certain committees of the General Assembly.

The bill's effective date is July 1, 2010. The bill currently resides in a Senate committee.

Freestanding Medical Facilities - Rates

[SB 593](#), passed by the Senate, requires the State Health Services Cost Review Commission (HSCRC) to set rates for hospital services provided at freestanding medical facilities and freestanding medical facility pilot projects and requires all payors subject to the jurisdiction of HSCRC, including insurers, nonprofit health service plans, HMOs, MCOs, and Medicaid, to pay the HSCRC rates at a freestanding medical facility. The bill eliminates the current method of reimbursing such facilities, and alters the definition of "hospital services" to specify that the emergency services include services provided at freestanding medical facilities and freestanding medical facility pilot projects. The bill takes effect June 1, 2010.

Health Insurance - Annual Preventive Care

Both chambers have passed amended legislation that specifies that insurers, nonprofit health service plans, and HMOs (carriers) must provide coverage for covered annual preventive care once at any time during the plan year established in the enrollee's policy or contract. The bills also clarify that annual preventive care includes only services that are covered benefits, and defines a vision examination as one of the annual preventive care visits to which the bill applies ([SB 313/HB 878](#)).

Lead Risk in Housing

Bills aimed at reducing lead risk in housing failed in both chambers. [SB 504/HB 1153](#) (both failed) would have required an owner of an affected property under the Reduction of Lead Risk in Housing Program to satisfy the risk reduction standard at each change of occupancy by passing the test for lead contaminated dust *and* performing the specified lead hazard reduction. In current law, an owner has the option of either passing the test for lead contaminated dust *or* performing specified lead hazard reduction treatments. [SB 504](#) failed on third reading in the Senate, while [HB 1153](#) received an unfavorable report in a House committee.

Dental Provider Contracts

[HB 1026](#) (failed), which would have prohibited a carrier in a dental provider contract from requiring a dental provider to provide services at a fee set by the carrier if the services are not covered by the carrier, has received an unfavorable report in a House committee.

HUMAN RESOURCES

[HB 343](#) (failed) would have prohibited State agencies and local governments from providing undocumented immigrants with federal, State, or local public benefits, with specified exceptions and unless the benefits were required under federal law. The bill received an unfavorable committee report.

REAL PROPERTY, ESTATES, AND TRUSTS

As amended and passed by the House, [HB 472](#) enhances the protections for homeowners facing foreclosure that were enacted in this State in 2008 and at the federal level last year. This Administration bill seeks to prevent homeowners from losing their home when a loan modification or loss mitigation option may be available to them. Generally, the bill strengthens the disclosures that must be given to a homeowner before a foreclosure action is filed; mandates that a loss mitigation analysis be completed no later than 30 days before a foreclosure

sale; and when the residential property is owner-occupied, allows a homeowner to request foreclosure mediation before a foreclosure sale is scheduled.

[SB 782/HB 456](#), as amended and passed in their respective chambers, authorize an individual debtor domiciled in the State to exempt, in addition to \$5,000 of personal property, up to \$20,200 of owner-occupied residential real property in a bankruptcy proceeding. The “homestead” exemption (1) may be claimed only if the individual and any specified family member of the individual have not received the exemption on a particular property in the prior eight years; and (2) may not be claimed by both a husband and wife in the same bankruptcy proceeding.

STATE GOVERNMENT

A House committee took testimony this week on [SB 174](#), which recently passed the Senate with amendments. The bill, as it is currently being considered, authorizes charter and code home rule counties to publish a digital copy of the compilation of local laws on the Internet, as an alternative to furnishing printed copies to each member of the county’s legislative delegation. The bill also clarifies that all counties must furnish printed copies of the compilations and enactments of local laws to State agencies, as required under current law.