



# The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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[Issue 10-13](#)

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## BILL COUNTS

As the 2010 regular session of the General Assembly of Maryland moves toward *sine die* at midnight on Monday, April 12, there are 2,699 bills under consideration. Of these bills, 432 have passed both chambers. The Senate and the House will both hold Saturday floor sessions and resume deliberations on Monday at 11:00 a.m.

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## COURTS AND CIVIL PROCEEDINGS

### *Passed Measures*

Among the measures the General Assembly gave final approvals to this week are:

- Strategic Lawsuits Against Public Participation (SLAPP), [HB 1250](#) (passed), that strengthens Maryland's SLAPP suit laws 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 ([SB 990](#), the companion bill, moved to the Senate floor on Friday);
- Journalist's Testimonial Privileges-Student, [HB 257](#) (passed), that expands 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;
- Child Protection, [SB 559](#) and [HB 811](#) (both passed) that authorize an individual to notify a local department of social services or law enforcement agency if the individual believes that a child lives with or is in the regular presence of a person, other than the child's parent or guardian, who is a registered child sexual offender and poses a substantial risk of sexual abuse to the child. Investigation of an allegation must be completed no later than 30 days after receipt of the report; and
- International Marriage Brokers, [SB 129](#) (passed) that requires an international marriage broker to disclose the marital history and criminal history record of a client to a recruited woman and provide her with basic human rights information prior to providing personal contact information to either party. The

broker must also obtain written consent from the recruit before disclosing her personal contact information to a client. The Department of Labor, Licensing, and Regulation must report by December 1 on the feasibility of and recommendations for the registration or licensing of international marriage brokers.

### *Foreign Defamation Judgments*

"Libel tourism" is a term used for instances when plaintiffs use foreign courts with more lenient defamation laws to sue publishers, with the effect of stifling public interest reporting and the press. To protect Marylanders from libel tourism, [SB 13/HB 193](#) prohibit a Maryland court from recognizing or enforcing a foreign defamation judgment unless the court first determines that defamation laws in the foreign jurisdiction provide as much protection for freedoms of speech and the press as the federal and state constitutions. A Maryland court is also prohibited from recognizing a foreign defamation judgment against the provider of an interactive computer service, as defined by federal law, unless the court determines that the judgment is in compliance with the applicable federal statute. The House and Senate are considering slightly different versions of the bills; the differences must be reconciled for final passage.

### *Peace or Protection Orders – Shielding of Records*

After passage by the House, [HB 1149](#) moved through a Senate committee and to the Senate floor. The legislation authorizes a respondent in a peace order or protective order proceeding to file a written request to shield from public inspection all related court records if the petition for the order was denied or dismissed at any stage of the proceeding. The court must schedule a hearing on the shielding request and provide notice of the hearing to the petitioner. Procedures for the shielding of records are established under the amended bill. [SB 935](#), the companion bill, moved out of committee to the Senate floor on Friday.

### *Failed Legislation*

The following bills have not moved through the legislative process this session:

- [SB 358](#) (failed) that would have repealed current law that permits evidentiary use of admissions of liability or fault that are made as part of, or in addition to, an expression of regret or apology by or on behalf of a health care provider in a civil action against the provider; and
- legislation that would have altered the conditions for divorce on the grounds of separation ([SB 578/HB 336](#), [SB 577](#) and [SB 714](#), all failed).

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## **CRIMES, CORRECTIONS, AND PUBLIC SAFETY**

### *Salvia Divinorum*

[SB 17](#) (passed) makes it a misdemeanor to distribute *Salvia divinorum* to an individual under the age of 21 and prohibits an individual under 21 from possessing the substance, with the possessor receiving a civil citation. The Attorney General must submit a report by December 1 that details a recommended scheme for the regulation of sales of *Salvia divinorum*.

### *Guns*

Bills affecting gun permit applications are stalled in committee. [HB 893](#) (failed) would have allowed the State Police to consider whether an applicant for a gun permit is a person eligible for relief under a final protective order when determining if the applicant has the necessary good and substantial reason to wear, carry, or transport a handgun. [HB 683](#) (failed) would have repealed the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing the person a permit.

Also lacking a committee vote, [SB 167](#) (failed) would have required the State Police to disapprove an application for a state-regulated firearms dealer's license if it is determined that the applicant intends that a person not qualified for a license or whose license has been revoked or suspended will participate in the management or operation of the business or hold an interest in the business. The bill would have also established record-keeping and reporting requirements for licensees, provisions that also appeared in the Firearm Safety Act of 2010 ([HB 820](#), failed) that was voted down in committee last month. The Maryland Assault Weapons Ban of 2010 ([SB 516](#), failed) was withdrawn by its sponsor midway through the session.

Additional gun legislation without committee action includes:

- [HB 1268](#) (failed) that would have made it a misdemeanor to knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of ammunition solely designed for a regulated firearm;
- [SB 563/HB 354](#) (both failed) that would have made possession of firearm ammunition by a person previously convicted of a certain crime of violence or drug-related crime a misdemeanor; and
- [HB 1328](#) (failed) that would have made it a misdemeanor for a person under the age of 21 to knowingly possess certain firearms or ammunition or for a person to obliterate, remove, change, or alter the manufacturer's identification mark or number on a firearm.

### *Child Abuse*

Justice's Law ([HB 523](#), failed) would have increased the maximum imprisonment penalties for first degree child abuse that results in the death of the child and a subsequent conviction of the crime from a maximum of 30 years to a maximum of life imprisonment. The bill received no committee action.

### *Parole*

[SB 901/HB 940](#) (both failed) would have repealed the requirement that an inmate serving a term of life imprisonment and otherwise eligible for parole may be paroled only with the approval of the Governor and instead allowed such an inmate a review of a judgment or determination of any point or question relating to the conviction or sentence by a three-judge panel sitting in banc after 20 years of incarceration under certain circumstances. No committee votes were taken on the bills.

### *Juvenile Facilities for Girls*

[HB 394](#) (failed) would have required the Department of Juvenile Services to provide substantially equivalent services on a regional basis for girls and boys in the juvenile services system. A House committee took no action on the bill.

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## **ECONOMIC AND BUSINESS ISSUES**

### *Closed Captioning – TVs*

The General Assembly approved [SB 68/HB 1501](#) (both passed) to require a place of public accommodation, on request, to keep closed captioning activated on any closed-captioning television receiver that is in use during regular hours in any public area. Places of public accommodation are excluded from this requirement if no

television receiver of any kind is available in the public area or the only public television receiver available in the public area is not a closed-captioning receiver. The bills were requested by the Governor's Office of Deaf and Hard of Hearing.

#### *State Investment in Tech Companies – Report Required*

As amended by the Senate and recently before a House committee, [SB 793](#) now requires the Board of Trustees of the State Retirement and Pension System to report annually to the General Assembly regarding investments in venture capital funds, including the names of and total amount invested in each venture capital fund that focus on information technology, green technology, medical device technology, or bioscience. The report must also provide the aggregate amount of assets invested by venture capital funds in companies headquartered in Maryland as well as businesses in each of the four industries. The original bill would have required the Board to invest \$50 million over five years in venture capital funds in businesses related to the four industries.

#### *Pending Legislation*

The following legislation is expected to pass before *sine die*:

- The Healthy Retail Employee Act ([HB 1299](#) and [SB 789](#)) that require certain employers to offer nonworking shift breaks to their employees;
- Collective Negotiations by Family Child Care Providers ([SB 284/HB 465](#)) that codify a 2007 Executive Order that authorizes collective bargaining negotiations for providers who participate in the State Child Care Subsidy Program;
- Renewable Energy Portfolio Standards (RPS) - Solar Energy ([SB 277](#)) that addresses the percentage of the RPS that must be purchased from Tier 1 solar energy sources and the alternative compliance payment for a shortfall; and
- Junk Dealers and Scrap Metal Processors - Required Records ([SB 99/HB 1174](#)) that modify the definition of these dealers and processors and alter recordkeeping requirements.

#### *Maryland Automobile Insurance Fund (MAIF)*

Failed legislation includes bills that would have allowed acceptance of MAIF premiums on an installment basis ([SB 401/HB 317](#), both failed) and bills that would have restricted the use of Fund moneys and property ([SB 238/HB 1052](#), both failed).

## **EDUCATION**

### *Public Education – Maintenance of Effort (MOE)*

[SB 476](#) and [HB 223](#) (both passed) waive the fiscal 2010 MOE penalty for a county that may have been unable to provide at least as much funding per pupil as it had in the previous fiscal year. In addition, two legislative committees must study the appropriate calculation of the penalty for failing to meet the MOE requirement and the appropriate party against whom the penalty should be applied.

[SB 403](#) (failed), [HB 410](#) (failed), and [HB 632](#) (failed), additional bills regarding the MOE process and penalties, have stalled in their originating committees.

### *Public Education - Comprehensive Master Plans*

Both chambers approved [SB 74](#) (passed), which requires local boards of education to continue submitting annual updates to their master plans in 2010 and 2011, but delays the requirement that they submit a new five-year comprehensive master plan from 2010 until 2012 out of concern that the reauthorization of the federal Elementary and Secondary Education Act and the national standards movement may change federal education requirements. The legislation also authorizes a board to submit a preexisting plan in lieu of a comprehensive master plan if the preexisting plan meets the criteria of the master plan.

### *Public Schools – Physical Education Facilities*

[SB 256/HB 334](#) (both passed) require 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.

### *Public Education – Education Reform Act of 2010*

Race to the Top (RTTT) is a federal \$4 billion competitive grant program authorized under the American Recovery and Reinvestment Act of 2009 (ARRA). The program seeks to encourage and reward states that are implementing significant reforms in specific areas such as recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most, and improving the lowest-achieving schools.

Both the House and the Senate considered and amended the opposite chamber's Education Reform Act of 2010 ([SB 899/HB 1263](#)). Though different, the general idea behind both of these bills is to strengthen Maryland's potential competitiveness for RTTT grants by encouraging highly effective teachers and principals to

work in Maryland's lowest achieving schools through incentives, creating standards to better conduct teacher performance evaluations, and by redefining the policy by which certain employees acquire tenure. In order to reach the Governor, the chambers must agree to identical language for at least one of the bills.

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## **ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE**

### *Aquaculture and Oysters*

A measure to remove impediments to oyster farming in the State has passed. [SB 3/](#)[HB 89](#) (both passed) exempt aquaculture activities, including oyster farming, from fees for applications to the Maryland Department of the Environment (MDE) for wetlands and waterway permits or to the Board of Public Works for a wetlands license; and require the Aquaculture Advisory Council to report to MDE and the General Assembly by October 1, 2013, on the status of commercial aquaculture in the State and the fiscal impact of the fee exemptions. Also passed, [HB 218](#) (passed) repeals a ban on using certain devices known as "devil catchers" or "devil divers" or similar devices on any oyster dredge boat to steer the dredge to the bottom.

### *Chesapeake Conservation Corps*

[SB 311/](#)[HB 943](#) (passed) establish the Chesapeake Conservation Corps Program administered by the Chesapeake Bay Trust (the Trust) to provide young adults with meaningful service opportunities to promote, preserve, protect, and conserve the environment. [SB 311](#) is poised to pass.

### *Nitrogen Removal*

[HB 62](#) (passed) requires MDE, in calendar 2010 through 2012 only, to pay, using money from the Bay Restoration Fund (BRF), 100% of the cost difference between a conventional on-site sewage disposal (septic) system and one that utilizes best available technology for nitrogen removal for a homeowner required to replace a failing system in the Chesapeake and Atlantic Coastal Bays Critical Area in accordance with Chapter 280 of 2009.

### *Low Phosphorus Fertilizer*

[HB 50](#), changing the definition of low phosphorous fertilizer to be used on lawns under the Chesapeake Bay Phosphorous Reduction Act of 2009, has received preliminary approval in the Senate. The bill reduces the maximum available phosphoric acid content of "low phosphorous fertilizer" from 5% to 0.5%; extends the applicability date one year to April 1, 2012; and applies

this restriction to lawn fertilizers with organic phosphorous material as of April 1, 2014.

### *No-discharge Zone*

[SB 513](#) originally required the State to initiate the process with the U.S. Environmental Protection Agency (EPA) to designate Maryland waters as a no-discharge zone by July 1, 2010. However, as amended, the bill requires the Department of Natural Resources (DNR) to study and make recommendations on the creation of a no-discharge zone in all waters of the State. The bill is in the House.

### *Stormwater Management*

Several bills were introduced to extend the implementation of, or provide exceptions to, stormwater management regulations that were scheduled to take effect May 4, 2010. In the wake of approval of new regulations, a hearing in a Senate committee for [HB 1125](#), which creates a process for an administrative waiver, has been cancelled. [SB 420](#) (failed) and [HB 1409](#) (failed) have been withdrawn, while [SB 1082](#), [HB 964](#), [HB 1408](#), and [HB 1480](#) remain in committees in their house of origin.

### *Road Salt*

The State Highway Administration, in consultation with MDE, must 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 with the pending passage of [SB 775](#) and the final passage of [HB 903](#) (passed).

### *Smart, Green, and Growing*

[SB 278](#), an Administration bill that repeals the Task Force on the Future for Growth and Development in Maryland, establishes the Maryland Sustainable Growth Commission. The companion bill, [HB 474](#), is in a conference committee.

### *Recycling – Green Maryland Act of 2010*

Both in opposite chambers, [HB 1164](#) was amended to read the same as [SB 693](#). The bills increase the percentage of paper purchased by the Department of General Services that must be recycled from 40% to 90%; requires a review of procurement practices and a study of the use of compost as fertilizer on State land; and establishes a goal to increase use of compost as fertilizer, among other provisions. The bill also creates a Maryland Green Purchasing Committee to develop green purchasing guidelines.

### *Hunting*

[SB 987](#) has moved to the opposite chamber. As amended, the bill establishes the responsibility of the Natural Resources Police Force in enforcing State conservation laws and provides for a commemorative lifetime hunting license in the State, among other provisions. A measure that would have increased the penalties for conviction of violating State hunting laws and regulations and trespass provisions, [HB 636](#) (failed), has failed.

### *Puritan Tiger Beetles*

The emergency bill authorizing DNR to allow for capturing the endangered puritan tiger beetle, which is threatening the homes and land on cliffs along the Chesapeake Bay, [HB 295](#) (passed), passed in both chambers. Testimony was heard this week on the crossfiled [SB 1020](#) and on [SB 975](#), which creates a task force to study erosion in areas of puritan tiger beetle habitat and make recommendations by December 31, 2010, on the most feasible and effective methods to prevent erosion in these areas. [SB 1020](#) was given preliminary approval in the House.

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## FINANCIAL INSTITUTIONS AND COMMERCIAL LAW

### *Credit Services Businesses – Limitation on Fees*

[HB 79](#) (passed), approved by both chambers, amends the Maryland Credit Services Businesses Act (MCSBA) to limit the fees that may be collected in connection with an extension of credit. The bill prohibits a credit services business from charging or receiving a fee in connection with an extension of credit that, when combined with an interest charge, would exceed the interest rate permitted by law. Existing penalties that apply to violations of MCSBA also apply to this offense.

### *Consumer Debt Settlement Services*

[SB 701](#), as amended and passed by the Senate, sets up a study to determine how the debt settlement services industry would best be regulated in the State, including the option of establishing a licensure requirement, and the fiscal impact of regulating the industry if licensure were required. The original legislation would have prohibited certain debt settlement services in the State.

### *Automated Teller Machines (ATMs) – Installation of Video Cameras*

The House approved a measure that requires that video cameras be installed at automated teller machine (ATM) locations with specified exceptions, recording all activity of a user as a user performs a transaction at the ATM.

[HB 180](#) applies only to ATMs first installed on or after October 1, 2010.

The amended legislation also specifies that the operator of an ATM subject to the bill's provisions is not in violation of the bill if the video camera malfunctions due to a reason not within the operator's control.

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## FISCAL MATTERS

### *Supplemental Budget*

Early this week, the Governor submitted a supplemental budget for incorporation into the Budget Bill, [SB 140](#). The Maryland Constitution provides that the Governor may amend or supplement the budget bills, with the consent of the General Assembly, before final action. A supplemental budget automatically becomes part of the budget bill once accepted. The supplemental budget for this session adds \$10.3 million for the 2010 election, including providing additional funds to implement early voting, adds an additional \$5 million for the Heritage Structure Rehabilitation Tax Credit, bringing the allowance up to \$10 million, and provides \$3.2 million in federal funds for the Harriet Tubman Underground Railroad State Park.

### *Operating Budget*

On Friday afternoon, the Senate accepted the conference committee report on the Budget Bill ([SB 140](#)) and the BRFA measure ([SB 141](#)) and then gave final approval to both. The House will take up the measures in the Saturday session.

### *Capital Budget*

The House passed the \$1 billion capital budget bill, [SB 142](#), the Maryland Consolidated Capital Bond Loan of 2010. A conference committee will resolve the differences in the House version and the Senate version passed by that body last week. The capital budget bill may not pass until the Budget Bill passes.

In its version, the House did not make any changes to public school construction funding, but did increase the Program Open Space and Rural Legacy Program authorization. Other House changes include:

- Program Open Space authorization increases from \$60.2 million to \$70.2 million, rejecting the Senate reduction;
- Rural Legacy Program authorization increases to \$23.3 million from the Senate level of \$10.6 million. As introduced, the authorization was \$28.3 million;
- Maryland Agricultural Land Preservation Program authorization increases to \$17.8 million from the

Senate authorization of \$11.8 million. As introduced, the authorization was \$21.8 million;

- Intercounty Connector authorization is reduced to \$83.6 million from the Senate level of \$112 million. As introduced, the highway was authorized \$126.9 million in the bill.
- Ocean City Beach Replenishment Fund is reduced from \$6.5 million to \$3.1 million;
- the University of Maryland, College Park East Campus Redevelopment project, added by the Senate at the \$5 million level, is reduced by the House to \$2.5 million;
- the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2011 authorization level is increased to \$249.1 million from the \$200 million Senate level with the addition of \$29 million for Program Open Space and \$20 million for the State Police for helicopter replacement; and
- the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2012 authorization level is increased to \$72.5 million from \$40.2 million with the addition of \$32.3 million for Program Open Space.

#### *The Sustainable Communities Act of 2010*

This week the House passed [HB 475](#) with amendments. As amended, this Administration bill reestablishes the Heritage Structure Rehabilitation Tax Credit Program as the Sustainable Communities Tax Credit Program, expands tax credit eligibility to provide a 10% credit for qualified rehabilitated structures in Main Street communities beginning in fiscal 2011 and sustainable communities beginning in fiscal 2012, and extends the credit sunset through fiscal 2014. The bill also makes several changes to other State programs, including the Community Legacy and Designated Neighborhood Programs, in order to streamline and better integrate these revitalization programs and enhance the State's ability to obtain federal financial assistance. The bill coordinates the review of the State's revitalization programs through the Smart Growth Subcabinet and requires the Subcabinet to weigh in on BRAC and transit-oriented development zone designations.

#### *Tax Credits*

Building Opportunities for all Students and Teachers in Maryland Tax Credit (BOAST), [SB 385](#), as passed by the Senate, is moving forward in the House. The Earned Income Credit Information Act, [HB 755](#) (failed), received an unfavorable report from a Senate committee.

#### *Property Tax - Semi-annual Payment Schedule – Small Business Property*

[HB 484](#) (passed) requires county and municipal governments to establish a semiannual payment schedule for State, county, municipal, and special taxing district property taxes for small business property with a property tax bill of \$50,000 or less. The bill takes effect October 1, 2010, and applies to taxable years beginning after June 30, 2011.

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## **HEALTH CARE AND HEALTH INSURANCE**

### *Child Care Articles Containing Bisphenol-A*

Bills that prohibit the use of the chemical Bisphenol-A (BPA) passed both chambers and now await the Governor's signature. [SB 213/HB 33](#) (both passed) prohibit a person from manufacturing, distributing, or knowingly selling child care articles that contain BPA on or after January 10, 2012. As defined in the legislation, a "child care article" means an empty bottle or cup to be filled with food or liquid that is designated or intended by the manufacturer to be used by a child younger than age 4.

### *Maryland Health Insurance Plan (MHIP) – Administration of National High Risk Pool Program*

[HB 1564](#) (passed), an emergency bill awaiting the Governor's consideration, authorizes the Board of Directors for MHIP to administer a national temporary high-risk pool program for the State and enter into any necessary administration agreements if the U.S. Secretary of Health and Human Services establishes such a program to be administered by states.

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## **HUMAN RESOURCES**

### *Aid for Individuals with Developmental Disabilities*

[SB 318/HB 830](#) (both passed) establish a checkoff box on the State individual income tax return form for contributions to the Waiting List Equity Fund that is used to fund community-based services for individuals with developmental disabilities.

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## **REAL PROPERTY, ESTATES, AND TRUSTS**

### *Mobile Home Parks – Dislocation of Residents*

[SB 235/HB 103](#) concern plans for a mobile home park owner in Maryland to include a relocation plan for dislocated residents with an application to change the land use of a park. The House has added a provision to each bill that would require 5 months' rent for mobile

home parks with 75 or fewer sites. The Senate rejected this provision, so the bills are now in conference committee.

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## STATE GOVERNMENT

### *No Representation Without Population Act*

**HB 496** (passed) requires that population counts used to create legislative districts for the U.S. Congress, General Assembly, and county and municipal governing bodies exclude incarcerated individuals who were not State residents prior to their incarceration in either State or federal correctional facilities. It also requires that incarcerated individuals be counted as residents of their last known address before their incarceration in a State or federal facility, if they were State residents prior to their incarceration. The companion bill (**SB 400**) is progressing on the House floor.

### *Special Dates and Designations*

The General Assembly agreed to add one designation to State law and is poised to add a second:

- Commemorative Days - Fire, Rescue, and Emergency Services Workers, **SB 715/HB 910** (both passed) designates the first Sunday in June each year as the day to honor the fire, rescue, and emergency services workers of the State who have made the ultimate sacrifice in the performance of their duties; and
- Hispanic Heritage Month, **SB 415/HB 34** recognize the contributions that Hispanic Americans have made to the State by making the month from September 15 to October 15 each year as Hispanic Heritage Month. Both bills are moving to passage.

### *State Designations - Review, Evaluation, and Recommendation by the State Archivist*

**SB 166/HB 345** (both passed) codify current practice by authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations. At the specific request of the Senate President; the Speaker of the House; the Chair of the Senate Education, Health, and Environmental Affairs Committee; or the Chair of the House Health and Government Operations Committee, such a review, evaluation, and recommendation is required.

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## TRANSPORTATION

### *Motor Vehicle Liability Insurance – Required Security*

If the Governor agrees, **HB 825** will become law on January 1, 2011. The bill, applicable to all vehicle liability insurance issued, delivered, or renewed in the State, increases the minimum security required for bodily injury or death of one person from \$20,000 to \$30,000, and for bodily injury or death of more than one person from \$40,000 to \$60,000.

### *Distracted Driving*

The bill banning the use of hand-held phones while driving, **SB 321**, passed this week. The legislation prohibits a driver from using a handheld phone while a vehicle is in motion, except to begin or end a call or to turn the phone on or off. It allows exceptions for emergency calls such as drivers calling 9-1-1, and exempts law enforcement and emergency workers while they are on duty.

A related bill, **SB 322**, passed second reading in the House with a committee amendment. The bill prohibits use of video display and electronic equipment that is turned on and that a driver can see while driving. It makes exceptions for video display and electronic equipment in vehicles used by a public service company or for public safety or law enforcement, and for equipment used for other safety purposes.

### *Ignition Interlock*

One of several bills concerning ignition interlock devices to prevent drunken driving passed the Senate unanimously as amended and is now in a House committee. **SB 564** requires participation in the Ignition Interlock System Program if a person is convicted of a first or subsequent violation of drunk driving. Under the proposed law, the Motor Vehicle Administration (MVA) must require a person convicted of drunk driving to complete the interlock program or must suspend the driver's license. The crossfiled bill, **HB 743**, remains in a House committee, as are related bills, **HB 515**, **HB 630**, and **HB 743**.

### *Traffic Citations – Option to Request a Trial*

**SB 560**, which changes the way in which a driver responds to a traffic citation for a non-incarcerable offense, passed the House with committee amendments and must go back to the Senate. The House committee amendments specify the content of the citation, establish the intent of the General Assembly to provide \$250,000 in funding for computer programming changes, and address citations for cars parked in violation of law. The companion bill, **HB 829**, has advanced to the Senate and received a favorable committee report.

A related bill, **HB 376** (failed) received an unfavorable committee report last month. It would have required a

person who elects to stand trial for a traffic citation and wants to have the police officer present at the trial, to notify the court of their request within the same time frame allowed for those who choose to pay the fine.

*Criminally Negligent Driving*

[SB 189](#) authorizes the MVA to suspend for six months the license of a driver who is convicted of reckless and negligent driving that results in death or bodily injury and increases the maximum fine for a violation to \$1,000. The bill passed the Senate unanimously and had a House committee hearing last week.

Related companion bills, [SB 870/HB 388](#), Criminal Law–Manslaughter by Vehicle or Vessel–Criminal Negligence, remain in committees in their houses of origin.

*License Plates*

[SB 45](#) adds the words “Home of Our National Anthem” to State license plates except for commemorative and special license plates. A House committee held a hearing on the bill last week.