

**Journal *of* Proceedings**

**of the**

**House of Delegates**

**of**

**Maryland**

**2012 Regular Session**

**Volume I**

Compiled and edited by:

Sylvia Siegert  
Journal Clerk  
Chief Clerk's Office

...

Mary Monahan  
Chief Clerk

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# Contents

Index of Days .....	iv
Journal of Proceedings .....	1
Rules of the House of Delegates of Maryland .....	3507
Roll Calls.....	Appendix I
Exhibits.....	Appendix II
Index .....	Appendix III

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## 2012 HOUSE JOURNAL INDEX OF DAYS

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<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 11 .....	1	February 29 .....	1225
January 12 .....	40	March 1 .....	1246
January 13 .....	42	March 2 .....	1267
January 16 .....	51	March 5 .....	1278
January 17 .....	63	March 6 .....	1303
January 18 .....	69	March 7 .....	1326
January 19 .....	86	March 8 .....	1358
January 20 .....	99	March 9 .....	1372
January 23 .....	108	March 12 .....	1437
January 24 .....	133	March 13 .....	1444
January 25 .....	139	March 14 .....	1539
January 26 .....	175	March 15 .....	1586
January 27 .....	198	March 16 .....	1638
January 30 .....	228	March 17 .....	1681
January 31 .....	269	March 18 .....	1787
February 1 .....	272	March 19 .....	1962
February 2 .....	342	March 20 .....	2190
February 3 .....	385	March 21 .....	2339
February 6 .....	422	March 22 .....	2476
February 7 .....	452	March 23 .....	2526
February 8 .....	462	March 24 .....	2530
February 9 .....	543	March 25 .....	2594
February 10 .....	647	March 26 .....	2642
February 13 .....	899	March 27 .....	2675
February 14 .....	913	March 28 .....	2733
February 15 .....	931	March 29 .....	2758
February 16 .....	964	March 30 .....	2810
February 17 .....	1047	March 31 .....	2909
February 20 .....	1049	April 1 .....	3018
February 21 .....	1057	April 2 .....	3134
February 22 .....	1074	April 3 .....	3231
February 23 .....	1089	April 4 .....	3328
February 24 .....	1105	April 5 .....	3389
February 27 .....	1133	April 6 .....	3444
February 28 .....	1179		



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**Annapolis, Maryland**  
**Wednesday, January 11, 2012**  
**Twelve Noon**

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STATE OF MARYLAND, To Wit:

This being the day prescribed by Section 14 of Article III of the Constitution for the convening of the General Assembly of Maryland at 12:00 Noon.

Mary Monahan, Chief Clerk of the House of Delegates for the 2012 Session, called the House to order and led the pledge of Allegiance to the Flag.

Prayer was offered by Delegate Mary Ann Love of Anne Arundel County.

EXCUSES:

Del. F. Turner – illness

Del. Valderrama – business – out of state

**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1)

Members having recorded their presence, the Chief Clerk announced that a majority of all members being present, the House was ready, under the provisions of the Constitution, to proceed with business.

The Chief Clerk called for nominations for the office of Speaker Pro Tem of the House of Delegates for the Regular Session of the Maryland General Assembly.

Delegate Nathan–Pulliam of Baltimore County nominated Delegate Adrienne A. Jones of Baltimore County for the office of Speaker Pro Tem.

Delegate Bohanan of St. Mary’s County seconded the nomination.

Delegate Olszewski of Baltimore County moved that the nominations be closed.

Delegate Haynes of Baltimore City seconded the motion.

The Chief Clerk put the question: All in favor of Delegate Adrienne A. Jones for the Office of Speaker Pro Tem signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Chief Clerk requested that Delegate Barve of Montgomery County and Delegate Branch of Baltimore City escort the Speaker Pro Tem–elect to the Rostrum.

The Chief Clerk administered the oath of office to Delegate Adrienne A. Jones of Baltimore County.

**THE HONORABLE ADRIENNE A. JONES,  
SPEAKER PRO TEM, NOW PRESIDING**

The Speaker Pro Tem introduced the distinguished guests joining us today.

The Speaker Pro Tem called for nominations for the office of Speaker of the House of Delegates.

Delegate Barve of Montgomery County placed the name of Delegate Michael E. Busch of Anne Arundel County in nomination for the office of Speaker of the House.

Delegate Griffith of Prince George’s County seconded the nomination.

Delegate Branch of Baltimore City moved the nominations be closed.

Delegate Guzzone of Howard County seconded the motion.

The Speaker Pro Tem put the question: All in favor of Delegate Michael E. Busch for the Office of Speaker signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Speaker Pro Tem requested that Delegate Jameson of Charles County and Delegate Howard of Prince George’s County escort the Speaker–elect to the Rostrum.

The Speaker Pro Tem Jones administered the oath of office to Delegate Busch, Speaker–elect of the House.

**SPEAKER OF THE HOUSE MICHAEL E. BUSCH, NOW PRESIDING**

The Speaker addressed the House.

Remarks by Governor Martin O’Malley

Remarks by Lt. Governor Anthony G. Brown

Remarks by U.S. Senator Ben Cardin

Remarks by Congressman Steny Hoyer

**ORDER**

JANUARY 11, 2012

ORDERED by the House of Delegates of Maryland, that the Rules of the House of Delegates in effect at the end of the Regular and Special Session of 2011, with the exception of Rule 116, be adopted for the Regular Session of 2012.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

**House Rule 116**

Delegate Barve moved to make House Rule 116 a Special Order of Business until January 18, 2012.

The motion was adopted.

**ORDER**

JANUARY 11, 2012

ORDERED By The House of Delegates of Maryland, that the Chief Clerk of the House is Mary Monahan, pursuant to the provisions of Sections 103 and 105 of the Rules of the Maryland House of Delegates.

ORDERED By The House of Delegates of Maryland, that the Journal Clerk of the House is Sylvia Siegert, pursuant to the provisions of Sections 104 and 105 of the Rules of the Maryland House of Delegates.

Read and adopted.

**ORDER**

JANUARY 11, 2012

ORDERED By the House of Delegates of Maryland, that the following Desk Officers are hereby appointed to serve the House of Delegates during this Regular Legislative Session of 2012:

Assistant Chief Clerk

Colleen Cassidy

Assistant Journal Clerk	Anita S. Bavis
Proceedings Clerk	Cindi Olszewski
Reading Clerk	C. Rhoades Whitehill

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### ORDER

JANUARY 11, 2012

ORDERED By the House of Delegates of Maryland, that the monies appropriated for the expenses of this Regular Session of 2012 as set forth in the Appropriations Bill, be paid upon joint Order of the President of the Senate and the Speaker of the House.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### ORDER

JANUARY 11, 2012

ORDERED By the House of Delegates of Maryland, that the Speaker of the House shall appoint the employees necessary for the proper transaction of the business of the Regular Session of 2012, as provided for in the Budget. This order to remain in effect until changed or modified by the House of Delegates of Maryland.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### APPOINTMENTS

JANUARY 11, 2012

BY THE SPEAKER OF THE HOUSE:

RESOLVED, that the Honorable Kumar P. Barve of Montgomery County be appointed as Majority Leader;

That the Honorable Dan K. Morhaim of Baltimore County be appointed Deputy Majority Leader;

That the Honorable James W. Hubbard of Prince George's County be appointed Assistant Majority Leader;

That the Honorable Talmadge Branch of Baltimore City be appointed as Majority Whip;

That the Honorable Carolyn J. B. Howard of Prince George's County be appointed Deputy Speaker Pro Tem;

AND, That the Honorable Brian J. Feldman of Montgomery County be appointed Parliamentarian.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

## APPOINTMENTS

JANUARY 11, 2012

RESOLVED, that The Chair and Vice-Chair of The Standing Committees within The House of Delegates be:

### APPROPRIATIONS:

Chair	Honorable Norman H. Conway of the Eastern Shore
Vice-Chair	Honorable James E. Proctor, Jr. of Prince George's County

### ECONOMIC MATTERS:

Chair	Honorable Dereck E. Davis of Prince George's County
Vice-Chair	Honorable David D. Rudolph of Cecil County

### ENVIRONMENTAL MATTERS:

Chair	Honorable Maggie McIntosh of Baltimore City
Vice-Chair	Honorable James E. Malone, Jr. of Baltimore County

### HEALTH AND GOVERNMENT OPERATIONS:

Chair	Honorable Peter A. Hammen of Baltimore City
Vice-Chair	Honorable Shane E. Pendergrass of Howard County

### JUDICIARY:

Chair	Honorable Joseph F. Vallario, Jr. of Prince George's County
Vice-Chair	Honorable Kathleen M. Dumais of Montgomery County

## WAYS &amp; MEANS:

Chair                   Honorable Sheila E. Hixson of Montgomery County  
Vice–Chair           Honorable Samuel I. Rosenberg of Baltimore City

## RULES &amp; EXECUTIVE NOMINATIONS:

Chair                   Honorable Hattie N. Harrison of Baltimore City  
Vice–Chair           Honorable Rudolph C. Cane of the Eastern Shore

## COMMITTEE ON PROTOCOL:

Chair                   Honorable Mary Ann Love of Anne Arundel County

## CONSENT CALENDAR:

Chair                   Honorable Kumar P. Barve of Montgomery County

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

**MESSAGE TO THE SENATE**

January 11, 2012

By The Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates has organized by the election of the Honorable Michael E. Busch, Speaker of the House.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of six members, four on the part of the House and two on the part of the Senate, to wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the House of Delegates, Delegates McHale, A. Miller, Olszewski and Pena–Melnik.

BY ORDER,  
Mary Monahan  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

January 11, 2012

By the Majority Leader,

Ladies and Gentlemen of the House of Delegates:

We have received your message notifying the Senate of the organization of your Honorable Body, and requesting the appointment of a joint committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make.

We have appointed on the part of the Senate, Senators Garagiola and Pipkin.

The Senate has organized by the election of the Honorable Thomas V. Mike Miller, Jr., as President.

By Order,  
William B.C. Addison, Secretary

Read and ordered journalized.

## INTRODUCTION OF BILLS

### House Bill 1 – Delegate Lafferty

AN ACT concerning

#### **Environment – Recycling – Apartment Buildings and Condominiums**

FOR the purpose of requiring a county to address the collection and recycling of certain materials by certain property owners or managers in a certain recycling plan; requiring owners or managers of apartment buildings or condominiums that contain a certain number of dwelling units to provide for recycling for residents on or before a certain date; clarifying that certain provisions of this Act do not affect the authority of a county, municipality, or other local government to enact and enforce certain recycling requirements; clarifying that certain provisions of this Act do not require a county to manage or enforce certain recycling activities within the boundaries of a municipality; requiring certain owners or managers to report annually to a county in accordance with certain requirements beginning on a certain date; requiring that the recycling required under this Act be done in accordance with certain recycling plans; providing for a civil penalty for a violation of this Act; providing for disbursement of penalties collected under this Act to certain jurisdictions; providing for a delayed effective date for a certain provision of this Act; clarifying that this Act does not preempt or prevail over certain other

legislation; and generally relating to recycling by owners or managers of certain apartment buildings and condominiums.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1703(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1703(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1711  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

## **House Bill 2 – Delegate Glenn**

### **EMERGENCY BILL**

AN ACT concerning

### **Public School Buildings – Carbon Monoxide Detection and Warning Equipment**

FOR the purpose of requiring the construction or remodeling of certain public school buildings to conform to a certain standard for the installation of carbon monoxide detection and warning equipment for commercial structures; making certain stylistic changes; making this Act an emergency measure; and generally relating to requiring the installation of carbon monoxide detection and warning equipment in public school buildings.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 3 – Delegate Cane**

AN ACT concerning

**Creation of a State Debt – Talbot County – Easton Head Start Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Shore Up!, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 4 – Delegates Cardin, Stein, DeBoy, Minnick, and Nathan–Pulliam**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Qualifications**

FOR the purpose of proposing an amendment to the Maryland Constitution to prescribe different qualifications for judges of the Orphans’ Court for Baltimore County; requiring judges of the Orphans’ Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 40

Read the first time and referred to the Committee on Judiciary.

**House Bill 5 – Delegate Frush**

AN ACT concerning

**Prince George’s County – Development and Ethics Reform Act of 2012**

FOR the purpose of establishing a Board of Planning and Zoning Appeals in Prince George’s County; providing for the membership, appointment, terms, and responsibilities of the Board; transferring certain powers and responsibilities of the County Council of Prince George’s County, sitting as a district council, to

the Board; authorizing the Board to make certain decisions on certain zoning map amendment and special exception applications; requiring a certain vote for the approval of certain zoning map amendments and certain special exceptions; authorizing the Board to consider and adopt certain requirements, safeguards, and conditions in approving certain zoning map amendments; prohibiting the Board from imposing certain requirements, safeguards, or conditions; authorizing appeal and judicial review of certain decisions; specifying the terms of the initial members of the Board; providing for the construction of this Act; and generally relating to development and ethics reform in Prince George's County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–103.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–104, 8–106, 8–109(a), 8–110, 8–110.1, 8–110.2, 8–111(b)(2), 8–121,  
8–122, 8–122.1(a), and 8–124  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 6 – Delegates Howard and Cardin**

AN ACT concerning

### **Election Law – Use of Campaign Funds for Meeting and Conference Expenses**

FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals, and registration expenses to attend certain meetings or conferences as an allowable expenditure of funds from a campaign account under the State election law; and generally relating to the use of campaign funds to pay expenses for a candidate's or an elected official's attendance at certain meetings and conferences.

BY repealing and reenacting, without amendments,

Article – Election Law  
Section 1–101(o)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1-101(aa)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 7 – Delegate Olszewski**

AN ACT concerning

**Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition**

FOR the purpose of exempting certain fantasy competitions from gaming prohibitions; defining a certain term; and generally relating to fantasy competitions.

BY adding to  
Article – Criminal Law  
Section 12-114  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 8 – Delegate Washington**

AN ACT concerning

**Crimes – Electronic Communication – Harassment**

FOR the purpose of altering the prohibition against using electronic mail with the intent to harass to prohibit engaging in electronic communication with the intent to harass; altering a certain definition; establishing penalties for a second or subsequent violation of this Act; and generally relating to prohibitions of harassment.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3-805  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 9 – Delegate Howard**

AN ACT concerning

**Education – Children and Youth – Reporting of Information Concerning  
Student Health, Well-Being, and Growth**

FOR the purpose of requiring each county superintendent of schools to report certain information concerning certain matters relating to student growth, health, and well-being to the State Superintendent of Schools on or before a certain date each year; requiring the State Department of Education to report certain information to the Governor and the General Assembly concerning certain matters relating to student growth, health, and well-being on or before a certain date each year; and generally relating to the reporting of information relating to children and youth in educational programs and schools in the State.

BY adding to

Article – Education  
Section 4–111.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–401 and 7–411.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 10 – Delegate Haddaway–Riccio**

AN ACT concerning

**Business Occupations – Electrical Inspectors – Master Electrician License  
Required**

FOR the purpose of requiring the State, a county, or a municipal corporation to employ as electrical inspectors only individuals who hold, or have previously held within a certain period of time under certain circumstances, a State license or local license, as applicable, to provide electrical services as a master electrician; providing for the application of this Act; and generally relating to licensing requirements for electrical inspectors.

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions  
Section 6–101(a), (g), (h), and (k)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 6–313  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 11 – Delegate Glenn**

AN ACT concerning

#### **Criminal Law – Third Degree Sexual Offense – Person in Position of Authority**

FOR the purpose of repealing the requirement that the prosecution of a misdemeanor offense of the prohibition against a certain person in a position of authority engaging in a sexual act or sexual contact with a minor, under certain circumstances, be instituted within 3 years after the offense was committed; prohibiting a certain person in a position of authority who is at least a certain number of years older than the victim from engaging in sexual contact, a sexual act, or vaginal intercourse with a minor while the minor is enrolled or participating in the institution, program, or activity at which the person in a position of authority works or a minor who was previously enrolled or participating in the institution, program, or activity at the same time the person in a position of authority was working at the institution, program, or activity; establishing penalties for violating this Act; repealing the prohibition against a person in a position of authority engaging in a sexual act or sexual contact with a minor who, at the time of the sexual act or sexual contact, is a student enrolled at a school where the person in a position of authority is employed and the prohibition against a person in a position of authority engaging in vaginal intercourse with a minor who, at the time of the vaginal intercourse, is a student enrolled at a school where the person in a position of authority is employed; defining a certain term; making technical corrections; and generally relating to sexual offenses.

BY repealing

Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–106(aa)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–301, 3–307, and 3–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 12 – Delegate Glenn**

AN ACT concerning

**Baltimore City – 45th Legislative District – Liquor Stores – Premises Near  
Places of Worship or Schools**

FOR the purpose of increasing the distance that liquor stores in the 45th Legislative District in Baltimore City are required to be from places of worship or schools; providing for the application of this Act; and generally relating to the distance that liquor stores are required to be from places of worship or schools in the 45th Legislative District in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.3  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 13 – Delegate Glenn**

AN ACT concerning

**Baltimore City – 45th Legislative District – Alcoholic Beverages – Landlords –  
Licensed Premises**

FOR the purpose of making it a misdemeanor in the 45th Legislative District in Baltimore City for a landlord to rent out a premises to be used for the sale of alcoholic beverages by a holder of a Class A alcoholic beverages license if the landlord knows or has reason to know that the use would violate a certain minimum distance requirement between a licensed premises and a place of worship or school; providing for the application of this Act; providing a penalty; and generally relating to the sale of alcoholic beverages in the 45th Legislative District in Baltimore City.

BY adding to  
Article 2B – Alcoholic Beverages

Section 16–509.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 14 – Delegate Glenn**

AN ACT concerning

#### **Baltimore City Board of School Commissioners – Selection of Members – Local Referendum (Democracy in Education Act of 2012)**

FOR the purpose of increasing the number of members of the Baltimore City Board of School Commissioners; requiring a certain number of members of the board to be elected at–large by the voters of Baltimore City; altering the length of a term of the members of the board; requiring certain members of the board to be elected at a certain election and in accordance with certain provisions of law; providing for the termination of the term of certain elected members of the board; providing for the application of this Act; submitting this Act to a referendum of the qualified voters of Baltimore City; making conforming changes; and generally relating to the Baltimore City Board of School Commissioners and the selection of members.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108.1 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 15 – Delegate Glenn**

AN ACT concerning

#### **Maryland Medical Marijuana Act**

FOR the purpose of authorizing the medical use of marijuana under certain circumstances; repealing certain criminal provisions that allow the imposition of a certain fine or the use of an affirmative defense for use or possession of marijuana or use or possession of drug paraphernalia related to marijuana under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; authorizing the Department to vary certain fees in a certain manner; authorizing the Department to accept certain donations for a certain purpose; requiring the

Department to issue a certain report to the Governor and the General Assembly on or before a certain date each year; authorizing certain persons to file a certain action under certain circumstances; providing that certain documents shall be deemed a valid registry identification card under certain circumstances; providing that a certain representation to a law enforcement official is punishable by a certain fine; establishing the Medical Marijuana Advisory Board in the Department; providing for the membership, quorum requirements, and staffing of the Board; prohibiting a member of the Board from receiving compensation but providing that a member may receive certain reimbursement; providing for the duties of the Board; establishing certain application processes for compassion centers, compassion center associates, designated caregivers, and qualifying patients; providing that certain compassion centers are subject to reasonable inspection by the Department; requiring the Department to provide a compassion center certain notice before conducting an inspection; establishing certain requirements for compassion centers, compassion center associates, designated caregivers, and qualifying patients; authorizing counties and municipalities to enact certain limits and zoning regulations regarding compassion centers; requiring the Department to notify a designated caregiver of a certain notice; providing that certain protections for a designated caregiver expire a certain time after a certain notification; providing that certain registry identification cards from other jurisdictions shall have the same force and effect as a registry identification card issued by the Department; prohibiting certain designated caregivers from possessing over a certain amount of marijuana; authorizing certain designated caregivers to receive compensation under certain circumstances; prohibiting a qualifying patient from possessing over a certain amount of marijuana under certain circumstances; providing that certain qualifying patients and designated caregivers may not be subject to penalty for certain actions; providing that a practitioner may not be subject to penalty solely for providing a certain certification or a certain statement; prohibiting certain entities from discriminating against or penalizing certain persons; providing for a certain presumption for the medical use of marijuana; providing that certain evidence may rebut a certain presumption; prohibiting a person from being denied custody of or visitation with a minor for the sole reason of conduct allowed under this Act; providing that there may not be a presumption of neglect or child endangerment for the sole reason of conduct allowed under this Act; providing that medical use of marijuana shall be considered the equivalent of the authorized use of certain medication under certain circumstances; prohibiting marijuana and certain other property from being seized or forfeited under certain circumstances; providing that compassion centers and compassion center associates may not be subject to penalty for certain activities; prohibiting certain law enforcement agencies from providing certain information to certain entities under certain circumstances; clarifying that this Act does not authorize certain activities; providing that nothing in this Act may be construed to require certain activities; providing for the confidentiality of certain information under certain circumstances; requiring the Department to establish a certain verification system; defining certain terms; and generally relating to the medical use of marijuana.



BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601(c) and 5–619(c)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 25–101 through 25–702 to be under the new title “Title 25. Maryland  
Medical Marijuana Act”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations and the Committee on Judiciary.

### **House Bill 16 – Delegate Haddaway–Riccio**

AN ACT concerning

#### **Talbot County – Alcoholic Beverages Violations – Issuance of Citations**

FOR the purpose of authorizing certain alcoholic beverages inspectors in Talbot County to issue citations for certain alcoholic beverages violations; and generally relating to the issuance of citations for alcoholic beverages violations by alcoholic beverages inspectors in Talbot County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–119  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 17 – Delegate Glenn**

AN ACT concerning

#### **Crimes – Elder Abuse or Neglect – Increased Penalties and Restrictions on Pretrial Release (The John H. Taylor Act)**

FOR the purpose of altering the penalties for the crime of causing abuse or neglect of a vulnerable adult in the first or second degree; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with

causing abuse or neglect of a vulnerable adult in the first or second degree; providing that a judge may authorize the pretrial release of the defendant on certain conditions; requiring the judge to order the continued detention of the defendant if neither suitable bail nor other conditions will reasonably ensure that the defendant will not flee or pose a danger to a certain person or the community before the trial; and generally relating to elder abuse or neglect and increased penalties and restrictions on pretrial release.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–604(b) and 3–605(b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 3–604(c) and 3–605(c)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure  
Section 5–202(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 18 – Delegate Howard**

AN ACT concerning

#### **Crimes – Requirement to Report Death or Disappearance of Minor – Penalties (“Caylee’s Law”)**

FOR the purpose of requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within certain periods of time depending on the age of the minor, the appropriate law enforcement agency that the minor is missing; requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within a certain period of time, the appropriate law enforcement agency or medical authority that the minor has died; establishing certain penalties; and generally relating to a requirement to report the death or disappearance of a minor.

BY adding to

Article – Criminal Law  
Section 3–608 through 3–610  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 19 – Delegate Kach**

AN ACT concerning

**State Retirement and Pension System – Military Service Credit – Reservists**

FOR the purpose of authorizing certain members of the State Retirement and Pension System who are members of a reserve component of the armed forces of the United States to receive a certain amount of service credit under certain circumstances for military service as a member of a reserve component of the armed forces of the United States; and generally relating to military service credit for members of a reserve component of the armed forces of the United States.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 38–103(d) and 38–104(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 20 – Delegates K. Kelly, Kramer, and Simmons**

AN ACT concerning

**Crimes – Requirement to Report Death or Disappearance of Minor – Penalties**

FOR the purpose of requiring, under certain circumstances, a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within certain periods of time depending on the age of the minor, the appropriate law enforcement agency that the minor is missing; requiring, under certain circumstances, a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within a certain period of time, the appropriate law enforcement agency or medical authority that the minor has died; establishing certain penalties; and generally relating to a requirement to report the death or disappearance of a minor.

BY adding to

Article – Criminal Law  
Section 3–608 through 3–610  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 21 – Delegate McConkey**

AN ACT concerning

#### **Environment – Reduction of Lead Risk in Housing – Repeal of Obsolete Language**

FOR the purpose of removing obsolete language in provisions relating to reduction of lead risk in rental housing; making conforming changes; and generally relating to the repeal of obsolete language in provisions relating to reduction of lead risk in rental housing.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 6–811(a)(1), 6–812, 6–819, 6–820, 6–823, 6–843(a), (b), and (c), and  
6–846(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 22 – Delegate McMillan**

AN ACT concerning

#### **Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; requiring the Department of Housing and Community Development to maintain a certain list on its Web site; providing for the application of this Act; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 8–203(e) and (h)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 8–203(k)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 23 – Delegates McMillan, Aumann, Bromwell, Carter, Fisher, George, Haddaway–Riccio, Kach, K. Kelly, W. Miller, Minnick, O’Donnell, Schuh, Simmons, Sophocleus, Vitale, Weir, Wood, Kramer, and Wilson**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Dedicated State Funds Protection Act**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of dedicated State funds to the General Fund except for certain purposes under certain circumstances; requiring the Governor to include certain provisions in the budget that provide for the repayment of certain dedicated State funds under certain circumstances within a certain period of time; requiring that funds in a certain account in the Transportation Trust Fund be distributed in a certain manner; defining a certain term; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

Read the first time and referred to the Committee on Appropriations.

**House Bill 24 – Delegate McMillan**

AN ACT concerning

**Maryland–Mined Coal Tax Credit – Repeal**

FOR the purpose of repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; providing for the application of this Act; and

generally relating to the repeal of certain credits allowed against certain taxes for the purchase of Maryland–mined coal.

BY repealing

Article – Tax – General

Section 8–406(b) and 10–704.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 25 – Delegate Olszewski**

AN ACT concerning

#### **Crimes – Malicious Destruction of Property by Graffiti – Penalties**

FOR the purpose of altering the requirement that a court order a person convicted of causing malicious destruction of property by an act of graffiti to either pay restitution or perform community service or both so as to require that the court order both the payment of restitution and community service; and generally relating to malicious destruction of property by an act of graffiti.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 6–301

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 26 – Delegate Olszewski**

AN ACT concerning

#### **State Emblems – State Lighthouse – Millers Island Lighthouse**

FOR the purpose of designating Millers Island Lighthouse as the State lighthouse.

BY adding to

Article – State Government

Section 13–322

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 27 – Delegate Parrott**

AN ACT concerning

**Election Law – Petitions – Confidentiality**

FOR the purpose of prohibiting public inspection of a petition after the petition is filed with the State Board of Elections or a county board of elections, with a certain exception; requiring a custodian to permit a person to inspect a petition if the person requires access to the petition to facilitate judicial review of a determination concerning the sufficiency of the petition; providing that a custodian may not disclose personal information contained in a petition to the general public; defining a certain term; and generally relating to the confidentiality of petitions.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 6–205(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 6–205(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 10–616(v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 28 – Delegates B. Robinson, Conaway, and Tarrant**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Roland Water Tower Stabilization**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Baltimore for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 29 – Delegate B. Robinson**

AN ACT concerning

**Minority Business Enterprises – Not for Profit Entities and Termination Extension**

FOR the purpose of providing that a not for profit entity organized to promote the interests of physically or mentally disabled individuals is included in a certain definition of minority business enterprise only if the annual operating budget of the not for profit entity does not exceed a certain amount and the majority of the individuals on the board of directors or other governing body of the not for profit entity are socially and economically disadvantaged individuals; continuing until a certain date certain provisions of the State procurement law relating to procurement from minority businesses; requiring a certain study and a final report on the study by a certain date; providing for the effective dates of this Act; and generally relating to minority business enterprise participation in State procurement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301 and 14–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 116 of the Acts of the General Assembly of 1995, as amended by  
Chapters 495 and 496 of the Acts of the General Assembly of 2000,  
Chapter 339 of the Acts of the General Assembly of 2001, and Chapter  
359 of the Acts of the General Assembly of 2006  
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 30 – Delegate Schuh**

AN ACT concerning

**Motor Vehicle Administration – Selective Service Registration – Driver’s License, Moped Operator’s Permit, and Identification Card Applicants**



FOR the purpose of making certain provisions of law relating to the Motor Vehicle Administration's collection and electronic forwarding of Selective Service registration information gender-neutral and expanding their applicability to certain minors and to applicants for moped operators' permits; altering the conditions under which certain information about an applicant is forwarded to the Selective Service System; altering the contents of the statement the Administration is required to include on an application for a driver's license or an identification card; requiring the Administration to include a certain statement on an application for a moped operator's permit; requiring the Administration to forward certain information about certain applicants with a notation that a certain registration was refused; repealing a certain provision making the Administration's collection and electronic forwarding of Selective Service registration information on certain individuals to the Selective Service System contingent on the Administration's receipt of federal funds to pay for certain start-up costs; repealing a certain provision requiring the Motor Vehicle Administrator to initiate and monitor efforts to obtain certain federal funds and to report to the Department of Legislative Services when a certain contingency is fulfilled; making certain technical corrections; and generally relating to the Motor Vehicle Administration and Selective Service registration.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12-304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 309 of the Acts of the General Assembly of 2002)

BY repealing  
Chapter 309 of the Acts of the General Assembly of 2002  
Section 2 and 3

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 31 – Delegate Cluster**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Baltimore County Revenue Authority – Sale of Property**

FOR the purpose of making a certain conveyance, sale, or transfer of a certain project or part thereof, or a certain property or interest therein, by the Baltimore County Revenue Authority subject to the prior approval of the Baltimore County Council; making this Act an emergency measure; and generally relating to the conveyance, sale, or transfer of any project or property by the Baltimore County Revenue Authority.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Baltimore County  
Section 9–1–101(a), (b), (f), (k), (l), and (m)  
Article 3 – Public Local Laws of Maryland  
(2003 Edition and September 2011 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore County  
Section 9–1–104(b)(4)(iii)  
Article 3 – Public Local Laws of Maryland  
(2003 Edition and September 2011 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 32 – Delegate Clagett**

EMERGENCY BILL

AN ACT concerning

**Department of Planning – State Development Plan – Approval by the General Assembly**

FOR the purpose of requiring the Secretary of Planning to submit a State Development Plan to the General Assembly; prohibiting a certain plan from being finalized until it is approved by an Act of the General Assembly; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or revision to the Plan, together with any comments made by the Governor after enactment of a law that approves the Plan; making this Act an emergency measure; and generally relating to the approval of the General Assembly before finalization of a State Development Plan.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 5–601  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–605  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 33 – Delegate Clagett****EMERGENCY BILL**

AN ACT concerning

**Environment – Watershed Implementation Plans – Implementation Deadlines**

FOR the purpose of prohibiting the State from submitting certain plans based on pollution reduction goals that exceed certain federal requirements; defining certain terms; making this Act an emergency measure; and generally relating to the submission of federally required water pollution reduction plans.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8. Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 34 – Delegate Smigiel**

AN ACT concerning

**Criminal Procedure – Discharge from Commitment of Person Previously Found Not Criminally Responsible – Judicial Hearing**

FOR the purpose of authorizing a court on its own initiative or on motion of a party to hold a certain de novo hearing after receiving a report of recommendations from the Office of Administrative Hearings regarding discharge from commitment of a person previously found not criminally responsible; providing that a certain committed person is entitled to be present and represented at a certain hearing; authorizing a court to continue a certain hearing for the purpose of taking additional evidence; providing that a determination made by a court on whether evidence taken by the Office indicates that a certain committed person proved eligibility for release be made as a matter of law; providing that a determination made by a court on whether evidence taken by the court itself indicates that a certain committed person proved eligibility for release be made as a matter of fact and law; and generally relating to judicial hearings regarding the release from commitment of persons found not criminally responsible.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 3–114, 3–115, and 3–116

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 3–117 and 3–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 35 – Delegates Smigiel, Cluster, Eckardt, Hough, Kach, Krebs,  
McComas, McDermott, Schulz, and Vitale**

AN ACT concerning

**Private Property Rights – Regulatory Infringement – Compensation**

FOR the purpose of giving an owner of private property a cause of action under certain circumstances against the Department of the Environment, the Department of Natural Resources, or the Department of Planning if the application of a regulation adopted by the agency infringes on a private property right; providing that the cause of action shall be filed in a certain court; providing for the sum that a private property owner may recover under a certain cause of action; requiring the award or judgment under a certain cause of action to be paid from certain funds and prohibiting payment from the General Fund; providing for the venue of a certain cause of action; establishing a certain statute of limitations; providing for the application of this Act; defining a certain term; and generally relating to the rights of private property owners.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–120  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–203(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 12–601 through 12–604 to be under the new subtitle “Subtitle 6.  
Infringement on Private Property Rights”  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 36 – Delegates Smigiel, Cluster, Haddaway–Ricchio, Krebs, McComas, Hough, and Parrott**

AN ACT concerning

**Department of Planning – State Development Plan – Approval or Modification by the General Assembly**

FOR the purpose of requiring the Secretary of Planning to submit the State Development Plan and certain related materials to the General Assembly; prohibiting the Plan from being finalized until it is approved by an Act of the General Assembly; authorizing the General Assembly to modify the Plan as submitted by the Secretary; requiring the Governor to file with the Secretary of State the Plan, together with any comments made by the Governor, after enactment of a law that approves or modifies the Plan; providing for the application of this Act; and generally relating to the approval of the General Assembly before finalization of the State Development Plan.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 5–601  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–605  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 37 – Delegate Smigiel**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Declaration of Rights – Victims’ Bill of Rights**

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to expand the rights of a victim of crime; establishing the right of a victim of crime to be treated with fairness; establishing that the rights of a victim of crime

apply during the juvenile justice process; establishing the right of a victim of crime to be free of intimidation, harassment, or abuse during the criminal or juvenile justice process; establishing the right of a victim of crime to be reasonably protected from the defendant or child respondent or persons acting on behalf of the defendant or child respondent; establishing the right of a victim of crime to have the safety of the victim or victim's family be considered in fixing the amount of bail and release conditions of the defendant or child respondent; establishing the right of a victim of crime to set reasonable conditions on the conduct of a certain interview, deposition, or discovery request of the victim; establishing the right of a victim of crime, upon request, to confer with the prosecuting attorney on certain pre-trial issues; establishing the right of a victim of crime, upon request, to have reasonable notice of and be present for all public proceedings at which the defendant or child respondent has the right to be present and all parole and other postconviction release proceedings; establishing the right of a victim of crime, upon request, to be heard at a certain proceeding; establishing the right of a victim of crime to provide certain information and sentencing recommendations to the State; establishing the right of a victim of crime, upon request, to receive the presentence report at a certain time; establishing the right of a victim of crime to be informed, upon request, of the conviction, place of incarceration, scheduled and actual release date, and, if applicable, time and date of escape of the defendant or child respondent from State custody; establishing the right of a victim of crime to restitution including when the case is placed on a certain docket or the defendant receives a certain sentence; establishing the right of a victim to be the first paid restitution from money or property collected from a certain person; establishing the right of a victim of crime to the prompt return of personal property when the property is no longer needed as evidence of the crime; establishing the right of a victim of crime to be informed of all parole procedures, participate in the parole process, provide certain information to the State, and, upon request, be notified of the parole or other release of the defendant; establishing the right of a victim of crime to have the safety of the victim, the victim's family, and the general public considered before the State makes a certain postjudgment release decision; establishing the right of a victim of crime, a victim's lawful representative or attorney, or the prosecuting attorney, upon request, to enforce the victim's rights in a trial or appellate court with jurisdiction over the case; requiring the court with jurisdiction to act promptly regarding a certain request; making a certain stylistic change; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to victims' rights.

BY proposing an amendment to the Maryland Constitution  
Declaration of Rights  
Article 47

Read the first time and referred to the Committee on Judiciary.

**House Bill 38 – Delegates Smigiel, McComas, Schulz, Kach, Vitale, Krebs, Kipke, and McDermott**

AN ACT concerning

**Sales and Use Tax – Exemption – University and College Textbooks**

FOR the purpose of providing an exemption from the sales and use tax for the sale of certain textbooks purchased by certain individuals; defining a certain term; and generally relating to a sales and use tax exemption for the sale of university and college textbooks.

BY adding to

Article – Tax – General

Section 11–232

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 39 – Delegate Smigiel**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**State and Local Government – Officials and General Assembly Members –  
Legislative Privilege Exception**

FOR the purpose of proposing an amendment to the Maryland Constitution to allow the use of evidence of legislative acts in a criminal prosecution of a member of the General Assembly for bribery of a public officer; providing an exception to the prohibition on the bringing of a civil or criminal action against a local official for certain words spoken by an official during certain meetings of certain local public bodies for criminal prosecution of a local official for bribery of a public employee; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to a legislative privilege exception for officials of a local government and General Assembly members.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department

Section 18

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–501

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 9–201  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 40 – Delegates Smigiel, Cluster, Haddaway–Riccio, Hough, Kach,  
McComas, McDermott, Schulz, and Vitale**

AN ACT concerning

**Transportation – Toll, Fee, or Other Charge Increases – Notice and Public  
Comment**

FOR the purpose of requiring certain staff of the Maryland Transportation Authority to provide, by a certain date, public notice regarding a proposal to increase certain tolls, fees, or other charges; requiring the Authority to make the proposal available to the public in a certain manner; requiring the Authority to receive comments from the public at the meeting at which the Authority votes to implement the proposal; and generally relating to notice and public comments regarding a proposal to increase certain tolls, fees, or other charges by the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–101(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 41 – Delegates Smigiel, McDermott, McComas, Hough, Krebs,  
Schuh, Otto, Kipke, Vitale, and Cluster**

AN ACT concerning

**Election Law – Petitions – Public Verification and Counting of Signatures**



FOR the purpose of requiring that the process of verifying and counting signatures on petitions be open to observation by the public, subject to regulations adopted by the State Board of Elections to ensure the integrity, accuracy, and efficiency of the process; and generally relating to public verification and counting of signatures on petitions.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 6–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–207(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 42 – Delegates Smigiel, McComas, Vitale, Hough, Krebs, Schuh, Parrott, Cluster, McDermott, and Kipke**

AN ACT concerning

**Election Law – Petitions – Resubmission of Signatures**

FOR the purpose of authorizing an individual whose signature on a petition is not validated and counted during the initial verification process to resubmit the signature under certain circumstances and in a certain manner; requiring the State Board of Elections or a local board of elections to provide public notice of the names of individuals whose signatures on a petition are not validated and counted during the initial verification process; authorizing an individual to resubmit a petition signature only if the signature was not validated and counted due to a deficiency that is capable of being corrected through resubmission of the signature; requiring that signatures that are resubmitted be on a petition that satisfies certain requirements; requiring that certain actions relating to the process of resubmitting and verifying petition signatures be taken at certain times; and generally relating to resubmission of petition signatures.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–207 and 6–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 43 – Delegates Smigiel, McComas, Dwyer, Hough, Krebs, Parrott, Kipke, Cluster, and W. Miller**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Constitution – Laws Making an Appropriation Made Subject to Petition Referendum**

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a law making a certain appropriation shall be subject to rejection or repeal by the voters of the State under the petition referendum process provided under the Maryland Constitution; generally relating to making laws that make a certain appropriation subject to the petition referendum process under the Maryland Constitution; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XVI – The Referendum  
Section 2

Read the first time and referred to the Committee on Appropriations.

**House Bill 44 – Delegate Waldstreicher**

AN ACT concerning

**Health Insurance – Coverage of In Vitro Fertilization Services**

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage for certain benefits for outpatient expenses arising from certain in vitro fertilization procedures; providing for the application of this Act; and generally relating to coverage of in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–810  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 45 – Delegate Smigiel**

AN ACT concerning

**Handgun Permits – Qualifications – Presumption and Burden of Proof**

FOR the purpose of repealing the requirement that the Secretary of State Police base a finding that an applicant for a handgun permit has a good and substantial reason to wear, carry, or transport a handgun on an investigation; establishing a presumption that an applicant for a handgun permit has a good and substantial reason to wear, carry, or transport a handgun for the purposes of qualifying for a handgun permit; establishing that the Secretary has the burden of proving that an applicant for a handgun permit does not have a good and substantial reason to wear, carry, or transport a handgun; and generally relating to the burden of proof for qualifications for a handgun permit.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–306(a)

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

BY adding to

Article – Public Safety

Section 5–306(c)

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 46 – Delegate Waldstreicher**

AN ACT concerning

**Flash Mob Theft Act of 2012**

FOR the purpose of establishing that when multiple acts of theft are committed by multiple individuals under certain circumstances, the acts may be considered as one crime and the value of the property may be aggregated in determining whether the theft is a felony or a misdemeanor; and generally relating to theft.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 7–103

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 47 – Delegates Smigiel, Cluster, Haddaway–Riccio, Hough,  
McComas, McDermott, Parrott, Schulz, and Vitale**

AN ACT concerning

**Environment – County Plans – Authority**

FOR the purpose of repealing the authority of the Department of the Environment to order a person to prepare and submit certain subdivision plans and specifications under certain circumstances; repealing the Department's authority to order the installation of certain water supply or sewerage systems for subdivisions under certain circumstances; repealing a requirement that a certain county plan be approved by the Department; requiring a county to review a certain county plan in accordance with a schedule set by the county instead of the Department; repealing a requirement that a county governing body submit a revision or amendment to a certain county plan to the Department; repealing a requirement that a county adopt a revision or amendment to a certain county plan if the Department requires the revision or amendment; repealing the Department's authority to approve, disapprove, or modify certain plans, revisions, or amendments; repealing a requirement that the Department submit certain plans, revisions, or amendments to the Department of Natural Resources, the Department of Planning, and the Department of Agriculture under certain circumstances; repealing a requirement that the Secretary of the Environment give certain notices under certain circumstances; repealing the authority of the Department of the Environment to specify certain locations for certain facilities under certain circumstances; requiring a certain financial management plan to be approved by a county instead of the Department; authorizing a county, instead of the Department, to file a certain civil action under certain circumstances; repealing a certain term; and generally relating to the authority of the Department of the Environment and county water and sewer planning.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–206, 9–501, 9–503, 9–510, 9–521(c), and 9–1703(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Environment

Section 9–507 and 9–508

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 48 – Delegate Busch**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis and Anne Arundel County Conference and Visitors Bureau – Roof Replacement**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis and Anne Arundel County Conference and Visitors Bureau, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 49 – Delegate Busch**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Shiplap House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of Historic Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 50 – Delegate Otto**

**EMERGENCY BILL**

AN ACT concerning

**Somerset County – County Commissioners – Districts**

FOR the purpose of repealing the current boundaries for the county commissioner districts in Somerset County; establishing new boundaries for the county commissioner districts in Somerset County; providing for the reopening of a certain candidate filing deadline for a candidate for a certain office of member of the Somerset County Board of Education; prohibiting a certain withdrawal of candidacy; making this Act an emergency measure; and generally relating to county commissioner districts in Somerset County and the filing for candidacy for the office of member of the Somerset County Board of Education.

BY repealing

The Public Local Laws of Somerset County  
Section 2–102(b) through (f)  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County  
Section 2–102(b) through (f)  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

Read the first time and referred to the Committee on Rules and Executive Nominations.

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 1 – The Speaker (By Request – Administration)

A House Joint Resolution concerning

#### Legislative Districting Plan of 2012

FOR the purpose of establishing a plan for legislative districts presented by the Governor pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; providing that this Joint Resolution does not preclude the enactment by the General Assembly of a subsequent Joint Resolution setting forth the boundaries of legislative districts; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative

Districting Plan of 2012”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 2–202

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### MESSAGE FROM THE EXECUTIVE

GOVERNOR MARTIN O’MALLEY – 2011 RECESS APPOINTMENTS  
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit A of Appendix II)

Read and referred to the Committee on Rules and Executive Nominations.

### QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 2)

### ADJOURNMENT

At 1:13 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 12, 2012.

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**Annapolis, Maryland**  
**Thursday, January 12, 2012**

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The House met at 10:01 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 3)

The Journal of January 11, 2012 was read and approved.

**EXCUSES:**

Del. Alston – late – personal

Del. Donoghue – traffic

Del. Glass – illness

Del. Harrison – medical

Del. Kipke – illness

Del. Lee – late – meeting with Governor

Del. Proctor – illness

Del. Tarrant – late – personal

Del. F. Turner – illness

Del. Valderrama – business – out of state

Del. Weir – business

Memorial to former Delegates that passed during 2011:

Former Delegate John D. Jefferies of Baltimore City

Former Delegate Frank D. Boston, Jr. of Baltimore City

Former Delegate Melvin R. Kenney, Jr. of Baltimore City

Former Delegate Ruth M. Kirk of Baltimore City

Former Delegate David G. Boschert of Anne Arundel County

Former Delegate Daisy Alverda “Bert” Booth of Baltimore County

Former Delegate Kenneth L. Webster of Baltimore City

Former Delegate Nancy L. Murphy of Baltimore County

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.



(See Roll Call No. 4)

**ADJOURNMENT**

At 10:41 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 13, 2012 in memory of the former Delegates listed above.

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**Annapolis, Maryland  
Friday, January 13, 2012**

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The House met at 11:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna M. Stifler of Harford County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 5)

The Journal of January 12, 2012 was read and approved.

**EXCUSES:**

Del. Bates – personal  
Del. Carter – business  
Del. Clagett – business  
Del. Davis – illness  
Del. Jones – business  
Del. Myers – doctor’s appointment  
Del. Oaks – funeral  
Del. Proctor – illness  
Del. Serafini – illness  
Del. F. Turner – illness  
Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 51 – Delegates Eckardt, Cane, and Haddaway–Ricchio**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor  
Licenses – Clubs**

FOR the purpose of updating certain obsolete language by requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the mayor and city council of a city or town under certain circumstances; requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the Finance Department of Dorchester County under

certain circumstances; and generally relating to the distribution of Class C beer, wine and liquor license fees paid by organizations in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 52 – Delegate Hubbard**

AN ACT concerning

#### **Vehicle Laws – Suspension or Revocation of Driver’s License or Privilege to Drive – Fee for Reinstatement**

FOR the purpose of requiring an applicant for reinstatement of a suspended license or privilege to drive to pay a certain fee to the Motor Vehicle Administration; establishing the amount of the fee an individual whose license or privilege to drive has been revoked is required to pay on filing an application for a new license or for reinstatement of the privilege to drive; establishing higher fees under this Act for suspensions and revocations resulting from certain alcohol-related violations; making conforming changes; and generally relating to drivers’ licenses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–209 and 16–210(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 53 – Delegates Luedtke, Cullison, Frick, Hixson, Howard, Kaiser, A. Kelly, A. Miller, Mizeur, Reznik, Ross, Summers, and Zucker**

AN ACT concerning

**Higher Education – Community Colleges – Tuition Waiver for Disabled  
Individuals**

FOR the purpose of altering a certain requirement for obtaining an exemption from the payment of tuition at community colleges for certain disabled individuals who are enrolled in classes for certain continuing education instruction; and generally relating to tuition waivers for disabled individuals at community colleges.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–106(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 54 – Washington County Delegation**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Rural Heritage  
Transportation Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the location of a certain grantee; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA01(CM)

Read the first time and referred to the Committee on Appropriations.

**House Bill 55 – Delegate Malone**

AN ACT concerning

**Motor Vehicles – Use of Text Messaging Device While Driving**

FOR the purpose of establishing that a certain prohibition against an individual who is under a certain age using a wireless communication device while operating a motor vehicle does not apply to the use of a wireless communication device as a text messaging device; making certain technical corrections; altering a certain definition; and generally relating to the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 56 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Hours for Sale**

FOR the purpose of altering the hours for sale on a certain day for holders of a certain alcoholic beverages license in Dorchester County; and generally relating to the hours for sale for alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(b)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 57 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

**Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands**

FOR the purpose of requiring Sailwinds Park, Inc. to distribute wristbands to certain individuals at certain events; prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands at certain events; and generally relating to prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a) and (k)(1) and (2)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 58 – Delegates Eckardt, Cane, and Haddaway–Ricchio**

AN ACT concerning

**Dorchester County – Alcohol Awareness Program – Certificate of Completion**

FOR the purpose of prohibiting the use of a certificate of completion of a certain alcohol awareness program by certain employees or certain employers at more than one licensed establishment in Dorchester County; and generally relating to the use of a certificate of completion of an alcohol awareness program in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 13–101(a), (b), (c)(1), (d), (e), (f), and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 13–101(h)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 59 – Delegates McConkey, Costa, Dwyer, George, McMillan, Schuh, Sophocleus, and Vitale**

AN ACT concerning

**Anne Arundel County – Property Tax Payment Deferral – Eligibility**

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel

County under certain circumstances to specify the duration and certain amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Anne Arundel County under certain circumstances to provide certain information in a taxpayer's annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; providing for the application of this Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to

Article – Tax – Property

Section 10–204.6

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 60 – Delegates Haddaway–Riccio and Eckardt**

AN ACT concerning

#### **Talbot County – Zoning Regulations – Enforcement**

FOR the purpose of authorizing the legislative body of Talbot County to provide by local law for an administrative proceeding to enforce certain zoning regulations; allowing the local law to include certain authority to impose certain fines and penalties for zoning violations; and generally relating to the enforcement of zoning regulations in Talbot County.

BY adding to

Article – Land Use

Section 9–1801 and 9–1802 to be under the new subtitle “Subtitle 18. Talbot County”

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 61 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

#### **Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

FOR the purpose of authorizing the Dorchester County Commissioners to collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary District; and generally relating to the collection of the Bay Restoration Fee.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(d)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(d)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 62 – Delegates Rosenberg and Reznik**

AN ACT concerning

#### **State Government – Public Information Act – Public Institutions of Higher Education – Permissible Denials**

FOR the purpose of authorizing a custodian of a public record to deny inspection under the Public Information Act of the part of the record that contains certain data or information that is produced or collected by or for faculty or staff of a public institution of higher education under certain circumstances; authorizing a custodian of a public record to deny inspection of the part of the record that contains correspondence or research produced by faculty of a public institution of higher education on public policy issues; specifying that a custodian may deny inspection under this Act regardless of whether the study or research was sponsored by the public institution of higher education alone or in conjunction with certain entities; providing that this Act does not apply to financial or administrative records of public institutions of higher education; and generally relating to the application of the Public Information Act to public institutions of higher education.

BY adding to  
Article – State Government  
Section 10–618(n)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.



**House Bill 63 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Employees – Criminal History Records Checks**

FOR the purpose of authorizing the Director of Administration of Wicomico County to request State and national criminal history records checks from the Criminal Justice Information System Central Repository for prospective or current employees; requiring the Director of Administration to submit certain items to the Central Repository; requiring the Central Repository to forward to the prospective or current employee and the Director of Administration the employee's criminal history record information; specifying that certain information obtained from the Central Repository is confidential, may not be disseminated, and may be used only for certain employment purposes; authorizing the subject of a criminal history records check to contest in a certain way the contents of a certain printed statement; requiring the County Executive of Wicomico County to propose and the County Council of Wicomico County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to employee criminal history records checks in Wicomico County.

BY adding to

Article – Criminal Procedure

Section 10-236.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**MESSAGE FROM THE SENATE****FIRST READING OF SENATE BILLS****Senate Bill 46 – Senator Mathias****EMERGENCY BILL**

AN ACT concerning

**Somerset County – County Commissioners – Districts**

FOR the purpose of repealing the current boundaries for the county commissioner districts in Somerset County; establishing new boundaries for the county commissioner districts in Somerset County; providing for the reopening of a

certain candidate filing deadline for a candidate for a certain office of member of the Somerset County Board of Education; prohibiting a certain withdrawal of candidacy; making this Act an emergency measure; and generally relating to county commissioner districts in Somerset County and the filing for candidacy for the office of member of the Somerset County Board of Education.

BY repealing

The Public Local Laws of Somerset County  
Section 2–102(b) through (f)  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County  
Section 2–102(b) through (f)  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 6)

### ADJOURNMENT

At 11:29 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 16, 2012.

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**Annapolis, Maryland**  
**Monday, January 16, 2012**

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The House met at 8:04 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate C. T. Wilson of Charles County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 7)

The Journal of January 13, 2012 was read and approved.

**EXCUSES:**

Del. Bobo – personal

Del. Davis – illness

Del. Donoghue – personal

Del. Dwyer – personal

Del. Glass – illness

Del. Harrison – illness

Del. Impallaria – illness

Del. K. Kelly – personal

Del. McConkey – illness

Del. McDonough – personal

Del. Myers – personal

Del. Sophocleus – illness

Del. Stifler – illness

Del. F. Turner – illness

Del. Valderrama – business – out of state

**ORDER**

JANUARY 16, 2012

RESOLVED, that the Committees appointed by the Speaker during the Regular and Special Session of 2011 are hereby continued to serve during the Regular Session of 2012, and be it further ordered that the Speaker is hereby authorized and empowered to fill any vacancies that may exist in said Committees by reason of death, resignation and any other manner.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### INTRODUCTION OF BILLS

**House Bill 64 – Delegates Beidle, Barnes, Costa, Frush, George, Kipke, Love, Schuh, Sophocleus, and Vitale**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Hospice of the Chesapeake Renovation Phase 1**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of the Hospice of the Chesapeake Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 65 – Delegates Jameson and Minnick**

AN ACT concerning

**Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium**

FOR the purpose of altering the manner in which the Injured Workers' Insurance Fund may cancel policies when a policyholder has failed to pay a premium; repealing a requirement that the Board for the Injured Workers' Insurance Fund refer cases for collection to the Office of the Attorney General; and generally relating to the cancellation and collection procedures of the Injured Workers' Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 19–406  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 10–118, 10–133, and 10–135  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 66 – Delegate Krebs**

AN ACT concerning

#### **Public Health – Glucose Testing – Permit**

FOR the purpose of requiring a person to obtain a certain permit from the Department of Health and Mental Hygiene before offering to provide a glucose test and conducting the glucose test outside a certain permanently located medical laboratory; providing that a glucose testing permit is not required for a medical laboratory under certain circumstances; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; prohibiting the Secretary from requiring glucose testing personnel that conduct certain glucose tests to be certified in a medical laboratory specialty; requiring certain glucose testing to be overseen by a certain supervisor; prohibiting a person from offering glucose testing in the State unless the person holds a certain permit; defining a certain term; altering a certain definition; and generally relating to glucose testing and medical laboratories.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 17–501, 17–502, 17–504, and 17–510 to be under the amended subtitle  
“Subtitle 5. Cholesterol and Glucose Testing”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 67 – Delegates S. Robinson, Carr, and Olszewski**

AN ACT concerning

#### **Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop**

FOR the purpose of altering a certain provision of law requiring vehicular traffic to stop and take certain actions when approaching a nonfunctioning traffic control signal at certain intersections to apply the requirement to all intersections; requiring vehicular traffic approaching a nonfunctioning traffic control signal at

an intersection to stop in a certain manner, yield to certain other vehicles or pedestrians, and remain stopped until it is safe to enter and continue through the intersection; clarifying certain language; and generally relating to nonfunctioning traffic control signals at intersections.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–101(a) and (l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 68 – Delegates Rosenberg and Hubbard**

AN ACT concerning

#### **Medical Treatment – Youth – Registered Nurses, Physician Assistants, and Licensed Clinical Social Workers**

FOR the purpose of providing that a minor has the same capacity as an adult to consent to medical treatment if a registered nurse, physician assistant, or licensed clinical social worker makes a certain determination; providing that a registered nurse, physician assistant, or licensed clinical social worker, or an individual under the direction of a registered nurse, physician assistant, or licensed clinical social worker who treats a minor is not liable for civil damages or subject to certain penalties under certain circumstances; authorizing a registered nurse, physician assistant, or licensed clinical social worker to give certain information to certain individuals; authorizing a registered nurse, physician assistant, or licensed clinical social worker to advise or direct certain medical staff to give certain information to certain individuals; and generally relating to medical treatment of minors.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 69 – Delegate Kach**

AN ACT concerning

**Property Tax – Assessment Appeal – Time Limit for Determination**

FOR the purpose of requiring the Department of Assessments and Taxation, a supervisor of assessments for a county, or a property tax assessment appeal board to determine each appeal within a certain number of days after the appeal is heard or notify each party of certain information; and generally relating to a time limit for certain determinations in certain property tax assessment appeals.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–510

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 70 – Delegate Kach**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees**

FOR the purpose of requiring the State Board of Morticians and Funeral Directors to require certain applicants or licensees to submit to a mental or physical examination under certain circumstances; providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances; providing that a certain report or testimony of a certain health care practitioner is confidential, except under certain circumstances; providing that the failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding; requiring certain applicants or licensees to pay the reasonable cost of certain examinations; and generally relating to the authority of the State Board of Morticians and Funeral Directors to require examinations.

BY adding to

Article – Health Occupations

Section 7–208

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 71 – Delegate Morhaim**

AN ACT concerning

**Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption**

FOR the purpose of exempting the Family Security Trust Fund from a certain requirement that certain interest accrue to the General Fund; and generally relating to an exemption for the Family Security Trust Fund from the requirement to transfer interest to the General Fund.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 72 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Certification of Residential Child Care Program Professionals – Sunset Extension and Program Evaluation**



FOR the purpose of continuing the State Board for Certification of Residential Child Care Program Professionals in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit certain reports that address certain issues to certain committees of the General Assembly on or before certain dates; and generally relating to the State Board for Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(61)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 73 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Social Work Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Social Work Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the board; requiring that an evaluation of the board and the statutes and regulations that relate to the board be performed on or before a certain date; requiring the board to submit a report to

certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 19–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(64)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 74 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation**

FOR the purpose of continuing the State Board of Certified Interior Designers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; repealing certain termination provisions relating to the Occupational and Professional Licensing Design Boards' Fund and the authority of certain occupational and professional licensing design boards to set fees; and generally relating to the occupational and professional licensing design boards.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 8–602  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Chapter 227 of the Acts of the General Assembly of 2003, as amended by  
Chapter 273 of the Acts of the General Assembly of 2008  
Section 8

Read the first time and referred to the Committee on Economic Matters.

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 2 – Delegate Hubbard

A House Joint Resolution concerning

#### **Reform of the Federal Toxic Substances Control Act of 1976**

FOR the purpose of expressing support for the reform of the federal Toxic Substances Control Act of 1976.

Read the first time and referred to the Committee on Rules and Executive Nominations.

## THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #1

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

### Senate Bill 46 – Senator Mathias

#### EMERGENCY BILL

AN ACT concerning

**Somerset County – County Commissioners – Districts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MARTIN LUTHER KING, JR. DAY ADDRESS**

DELEGATE JAY WALKER  
Prince George's County

Thank you to my family - Monique, Jeannine, Jasmine, Jewel and brother-in-law Montez. Thank you to the members of the Maryland Black Caucus for giving me this opportunity to serve.... And lastly and most importantly thank you to leaders both past and present, those elected and also those without TITLE but nevertheless just as important to the causes of Martin Luther King, Jr. I am proud to admit that I still stand on those shoulders here in Annapolis.

We shall overcome... one day; is a song that has long been associated with the civil rights movement and a favorite quote of Martin Luther King, Jr. You see Martin Luther King, Jr. looked to this song for a glimmer of HOPE!!! At a time when America was in SOCIAL....CLASS....and Race Wars within its own borders.

Martin Luther King, Jr. stood proudly as a Quarterback for justice in America. Quarterback for a movement that was long overdue. If I may make a connection with being a Quarterback for a brief moment. As a Quarterback you can show no fear even though human nature forces one to be scared in the wake of bodily harm. As a Quarterback you must accept responsibility for your own actions as well as for those who might truly be to blame. And most importantly as a Quarterback you must have the ability to rally your unit... to believe in YOU and WHAT you stand for so much so that no person, rule, coach, player, or referee will stop them from fighting for YOU. Martin Luther King, Jr. was a Quarterback for America. By instilling a courage to fight for the unknown King stated that "Faith is taking the 1st step, even when you don't see the whole staircase".

As we reflect back on the era of time in which Martin Luther King, Jr. rose to prominence I see some of the same problems still in today's world.

Unemployment was at record high then, (and there was a gap between races for employment) a conflict overseas divided the moral compass of the United States people, and the country was mostly dominated by 2 colors in media coverage. Black and whites in the 60's, Red states and Blue states in today's TV coverage. In a world full of weapons King represented the weaponless... in a world dominated by capitalist, King represented those without much capital. In a nation driven by its focus on education, King represented the less educated. To focus only on King's fight against

Jim Crow laws in the south would not paint the whole picture... for the most impactful and prominent speech that Martin Luther King, Jr. delivered was written for the March on Washington... but you miss the point if you stop there, because the correct title was for "THE MARCH ON WASHINGTON FOR JOBS!!! & Freedom".

In 1968, the last year of Martin Luther King, Jr.'s life, he launched the poor people's campaign to address economic injustice. Noting that "the time is always right to do what is right", King was a champion in fighting for ACCESS to educational opportunities, for ACCESS to employment opportunity. Realizing that all any one of us in America wants is opportunity to have ACCESS to provide for ourselves, family, and loved ones. King showed the power of numbers by not limiting his audience to that of just one race or culture. In the Deep South he worked with janitors, garbage collectors, electricians, house cleaners, and students to try and point America in the right direction. By doing so he was able to build a large platform to hold up the mirror to the face of America so she could see her scars... and when the platform became large enough that the world placed a microscope on America... He became the youngest ever recipient of the Nobel Peace Prize at the age of 34. It was for his non-violent stance. But was his stance just against violence or was it a better way for King to use the laws of the land against those that oppressed. On many occasions King said he did not have a problem with the Constitution of the United States. However, he did have a problem with the implementation of the laws of the Constitution because of the exclusion and not inclusion of minorities.

We shall overcome... So I believe we must alter the words of the song by changing a word or 2 as we often do here in Annapolis. To keep us on point in today's world; From We shall Overcome to WE MUST STILL OVERCOME!!!!!!.....

So as I prepare to leave the podium I will leave this body with a charge for the future that maybe we can use the knowledge, history, and legacy of Martin Luther King, Jr. to help us lead our great state from here in Annapolis...

If you are on ECM - We are among the nation's richest states BUT we watch home foreclosures plague our citizens.

APP - The time has come for us to civilize ourselves and spend \$\$\$ wisely to end poverty.

HGO - We have some of the best Hospitals in the world!!! But King said "ANY... ANY... ANY injustice in healthcare is the most shocking and inhumane of all."

JUD - King realized that the laws of the land were more powerful than any single man could be. King was quoted as saying "That the law cannot make a person love me, but it can stop him from lynching me" and also giving the reminder to never forget that everything Hitler was legal in Germany without laws to protect citizens.

W&M - must continue to be proactive in our fight against protecting our youth in schools... against gangs, sexting, and bullying and bullycide. Because a bully is a bully

no matter what the issue. A bully who bullies a person because of one's sexual orientation in one part of the state is no better than a bully who bullies a person on race in another part of the state; Or a bully who bullies a person because they may be Muslim, Jewish, Catholic or any other faith.

And lastly to the ENV I leave you with a slight alteration of a famous KING quote... YOU are the keepers of the Chesapeake... and if you are called upon to be the keeper, then clean the BAY as Michelangelo painted, as Beethoven composed music or Shakespeare wrote poetry. You should keep the BAY so well that the host of heaven, earth and generations to come will say.... there was an Environmental Matters Committee who kept the Bay so well!!!!!!!

God Bless us all and God Bless you Dr. Martin Luther King, Jr.!!!!!!!

Delegate Oaks moved the Delegate's remarks be journalized.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 8)

### ADJOURNMENT

At 8:33 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 17, 2012.

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**Annapolis, Maryland**  
**Tuesday, January 17, 2012**

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The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Michael A. McDermott of Wicomico and Worcester counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 9)

The Journal of January 16, 2012 was read and approved.

**EXCUSES:**

Del. Bobo – personal

Del. Harrison – illness

Del. Love – late – personal

Del. F. Turner – illness

Del. Valderrama – business – out of state

Del. Vitale – doctor's appointment

**INTRODUCTION OF BILLS**

**House Bill 75 – Delegate Braveboy**

AN ACT concerning

**Residential Property – Condominium Unit Owners or Lot Owners – Provision  
of Disclosure Documents**

FOR the purpose of providing that a residential condominium unit owner or a vendor of or a lot owner in a development subject to the Maryland Homeowners Association Act who is selling the property shall provide certain disclosure documents without charge to a purchaser; providing that, notwithstanding certain provisions of law, the mortgagee or trustee designated under the deed of trust shall provide certain disclosure documents to the purchaser of a condominium unit or a certain lot in a development at a foreclosure sale; making conforming changes; providing for the application of this Act; and generally relating to the provision of disclosure documents in the sale of a residential condominium unit or a lot in a development.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–135(a), (b), and (g), 11B–105(a) and (b), and 11B–106(a), (b), and (d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

Section 11–135.1 and 11B–106.2

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 76 – Delegate Braveboy**

AN ACT concerning

#### **Real Property – Common Ownership Communities – Dispute Settlement Mechanism**

FOR the purpose of altering the application of a certain dispute settlement mechanism under the Maryland Condominium Act; establishing a certain dispute settlement mechanism under the Maryland Homeowners Association Act; requiring a governing body of a homeowners association to follow certain procedures before imposing a sanction for a rule violation; authorizing a certain action for damages or injunctive relief under certain circumstances; establishing that the failure of the governing body of a homeowners association to enforce certain provisions is not a waiver of the right to enforce a provision; providing for the application of this Act; making stylistic changes; and generally relating to the Maryland Condominium Act, the Maryland Homeowners Association Act, and common ownership community dispute settlement procedures.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–113

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

Section 11B–111.7

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 77 – Delegate Braveboy**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Foreclosure of Certain Liens Prohibited**

FOR the purpose of prohibiting a council of condominium unit owners or a homeowners association from foreclosing certain liens if the damages secured by the lien consist only of certain fines or attorney's fees; requiring a council of unit owners and a homeowners association to apply a certain payment to a unit or lot owner's account in a certain order of priority; and generally relating to collection of certain fines, fees, and assessments by condominium councils of unit owners and homeowners associations.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–110(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–110(e), 11B–112.1, and 14–204(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 78 – Delegate Braveboy**

AN ACT concerning

**Condominiums and Homeowners Associations – Payments Under Protest**

FOR the purpose of authorizing a condominium unit owner or a lot owner in a certain development to make a certain payment under protest by giving a certain written notice at the time of payment; establishing that a unit owner or lot owner reserves the right to dispute a charge that is paid under protest; and generally relating to payments under protest to condominium councils of unit owners and homeowners associations.

BY renumbering  
Article – Real Property  
Section 11B–117 and 11B–118, respectively  
to be Section 11B–118 and 11B–119, respectively

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–110  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 11B–117  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 79 – Delegate Braveboy**

AN ACT concerning

#### **Real Property – Condominiums and Homeowners Associations – Governing Bodies**

FOR the purpose of requiring the governing body of a condominium to convene at least a certain number of meetings each year; requiring the developer of a condominium to appoint a certain person to the governing body within a certain period of time from the date a certain number of units is conveyed under certain circumstances; requiring a developer to deliver certain notices regarding a certain bond to certain individuals within a certain period of time; requiring a council of unit owners to keep books, records, and accounts beginning on the date the council is established; requiring a council of unit owners to maintain certain books, records, and accounts in a certain manner; making certain provisions of law applicable to the accounts of a condominium; requiring a declarant to appoint a certain person to the governing body of a homeowners association within a certain period of time from the date a certain number of lots is sold under certain circumstances; requiring a declarant to deliver certain notices regarding a certain bond to certain individuals within a certain period of time; requiring the governing body of a homeowners association to convene at least a certain number of meetings each year; requiring a homeowners association to maintain books, records, and accounts beginning on the date the homeowners association is established; requiring a homeowners association to maintain certain books, records, and accounts in a certain manner; making certain provisions of law applicable to the accounts of a homeowners association; and generally relating to the governing bodies of condominium councils of unit owners and homeowners associations.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–109(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109(c), 11–114.1(d), 11–116, 11–132, 11B–106.1, 11B–111,  
11B–111.6(d), and 11B–112(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 10)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #1**

**Senate Bill 46 – Senator Mathias**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Somerset County – County Commissioners – Districts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 1    (See Roll Call No. 11)

The Bill was then returned to the Senate.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 12)

### **ADJOURNMENT**

At 10:31 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 18, 2012, in memory of former Delegate Kenneth H. Masters.

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**Annapolis, Maryland**  
**Wednesday, January 18, 2012**

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The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay A. Jacobs of Caroline, Cecil, Kent and Queen Anne's counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 13)

The Journal of January 17, 2012 was read and approved.

**EXCUSES:**

Del. Barnes – business – court case

Del. Rosenberg – business

Del. F. Turner – illness

Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 80 – Delegates Eckardt, Cane, and Haddaway–Ricchio**

AN ACT concerning

**Criminal Law – Shelter and Weather Protection Requirement – Bison  
Exemption**

FOR the purpose of providing that the prohibition against unnecessarily failing to provide an animal with shelter or protection from the weather does not apply to a person who has charge or custody of bison, as owner or otherwise; and generally relating to the abuse or neglect of animals.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–604

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 81 – Delegates Braveboy, Barnes, Frush, and Pena–Melnik**

AN ACT concerning

**Real Property – Homeowners Associations – Election of Governing Body**

FOR the purpose of prohibiting, with respect to a homeowners association, a declarant and its affiliates from voting to elect the governing body of a homeowners association at a certain meeting to elect the governing body; and generally relating to the election of the governing body of a homeowners association.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11B–106.1(a) and (e)(3)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 82 – Delegates W. Miller, Aumann, Bates, Beitzel, Boteler, Cluster, Costa, Dwyer, Eckardt, Elliott, Fisher, Frank, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, McMillan, Myers, Norman, O’Donnell, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stifler, and Stocksdale**

AN ACT concerning

**State Government – E–Verify Program**

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers in the performance of public contracts and grants in the State; specifying criteria for mandatory registration in a certain federal E–Verify program for certain contractors and grantees; prohibiting noncompliant persons or entities from performing certain contracts; imposing certain requirements on certain subcontractors; authorizing the Commissioner of Labor and Industry to assess certain penalties for a violation of this Act; providing that the penalties imposed under the authority of this Act do not apply to certain contractors and grantees under certain circumstances; defining certain terms; and generally relating to the employment of unauthorized alien workers and the federal E–Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–105 to be under the new title “Title 20. Use of the Federal E–Verify Program to Prevent the Employment of Unauthorized Alien Workers”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 83 – Delegates Hixson, Barve, and McIntosh**

AN ACT concerning

**Property Tax – Charter Counties – Limits**

FOR the purpose of authorizing the county council of certain charter counties to set a property tax rate or collect certain property tax revenues under certain conditions, notwithstanding any provision of a county charter that places certain limits on that county’s property tax rate or revenues; providing for the application of this Act; and generally relating to county property tax rates and revenues.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 6–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 84 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Reemployment of Retirees – Exemptions**

FOR the purpose of altering the number of years required after retirement for certain retirees of the State Retirement and Pension System to be exempt from a certain earnings offset of their retirement allowance when reemployed by certain employers; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the reemployment of retirees in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions

Section 24–405(b)(3)(i) and 25–403(b)(1) and (3)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(1)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Appropriations.

**House Bill 85 – The Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2013)**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2012, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

Read the first time and referred to the Committee on Appropriations.

**House Bill 86 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012,  
and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008,  
2009, 2010, and 2011**



FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, One Hundred and Twelve Million, Eight Hundred and Eighty Thousand (\$1,112,880,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2013, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be known as a Maryland Consolidated Preauthorization Act, to be issued in 2014, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be known as a Maryland Consolidated Preauthorization Act, to be issued in 2015, the proceeds to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; requiring certain grantees to submit certain reports; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005

Section 1(3) Item MA01(A), Item RM00(B) and (F), Item UB00(A)(1), (4), and (5), and Item ZB02(B)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011

Section 1(1)

- BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007 and Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(1)
- BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RE01(A)
- BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item DE02.01(C) and Item RB29(A)
- BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly 2011  
Section 1(1)
- BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008 and Chapter 372 of the Acts of the General Assembly of 2010  
Section 12(3) RB27(A)
- BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of the General Assembly of 2010  
Section 12(1) and (3) Item ML10(A)
- BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item DA02.01(A), Item DE02.01(E) and (H), Item RB27(D), and Item RB34(A)
- BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RE01(C), Item UB00(A), and Item ZA00(Q)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item RE01(B)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 396  
of the Acts of the General Assembly of 2011  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(G) and Item ZA03(F)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item KA05(C)(2), ZA00(N), and Item ZA01(C) and 12(3) Item  
RB23(B)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1) and (3) Item QP00(A)

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1) and (3) Item DE02.01(B), Item SA24(B), and Item ZA00(M)

BY repealing  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 12, 13, and 14

Read the first time and referred to the Committee on Appropriations.

**House Bill 87 – The Speaker (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2012**

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; authorizing the transfer of certain funds; repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet Web site relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet Web site; altering certain categories required to be included in certain annual budgets of county boards of education; prohibiting a county council or board of county commissioners from reducing a certain budget amount for a county board of education; authorizing the State to deduct a certain amount under certain circumstances from certain State funds that would otherwise be paid to certain county boards of education; providing a certain exception to a certain requirement that certain money is to be included in the budget bill; altering certain State education funding for certain fiscal years; altering certain fees; establishing the Developmental Disabilities Trust Fund as a special fund to be used for certain purposes; providing for a certain assessment on certain day care centers; repealing a requirement for a certain payment to certain nursing facilities under certain circumstances; altering a certain authority for the Health Services Cost Review Commission to adopt certain regulations under certain circumstances; requiring a certain nonprofit health service plan to provide a certain subsidy; altering the percentage of the amount that may be assessed in the aggregate on certain nursing facilities; altering certain commissions for certain licensed agents; requiring counties to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to establish a certain local contribution rate in a certain manner for certain fiscal years; providing for the manner of payment by certain counties for certain employer contributions; requiring certain counties to make certain payments of certain employer contributions in certain fiscal years; requiring the Comptroller to exercise the right of setoff against any money due or becoming due under certain circumstances; altering the time period during which a certain education index adjustment is to be updated; altering certain criteria and methodology to be used in updating a certain education index adjustment; altering a certain exemption from certain income taxes for certain individuals and married couples under certain circumstances; altering a certain reduction for a certain individual who elects to itemize certain deductions under certain circumstances; providing that the sales and use tax applies to the sale or use of certain digital products; providing that for purposes of certain provisions of the sales and use tax law certain persons shall be presumed under certain circumstances to have an agent, canvasser, representative, salesman, independent contractor, or solicitor operating in the State for certain purposes; providing that a certain presumption may be rebutted by certain proof; altering a certain tax rate for

certain tobacco products; providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan for a certain amount is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; repealing a certain exemption to the sales and use tax for precious metal bullion or coins; repealing a certain exemption to the sales and use tax for certain sales of manufactured homes; repealing a certain exemption to the sales and use tax for certain sales in the form of a demurrage charge; repealing certain credits allowed against certain taxes for the purchase of Maryland-mined coal; repealing a certain modification for purposes of determining Maryland taxable income for certain public utilities; repealing a certain credit against the State income tax for certain public utilities; repealing certain provisions relating to payment of overpayment of retirement contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Health Services Cost Review Commission to approve certain remittances to support the general operations of the Medicaid program; authorizing a certain reduction to the remittances; defining certain terms; altering certain definitions; providing for the application and construction of certain provisions of this Act; making the provisions of this Act severable; and generally relating to the financing of State government.

BY repealing

Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 10–523(3)(i)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 5–101(b)(4), 5–103(c), 5–206(f)(2), 16–305(c)(1)(i), 16–512(a)(1), and  
17–104(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 5–202(j), 16–305(c)(1)(iv), 16–512(a)(4), and 17–104(a)(3)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 7–604(b) and (h) and 9–1707(f)(6)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1707(f)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Financial Institutions

Section 13–1114(g)(3)(iv)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–217(c)(1), 15–117(b) and (c), 19–214(b) and (c), and 19–310.1(b)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 7–207, 14–207, and 14–305

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106(d), 14–106.1, and 14–504(e)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–117(a)(1), 9–1604(b)(1)(vi), and 12–203

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Tax – General  
Section 2–608(c), (d), (e), and (f), 8–406(b), 10–306(c), 10–704.1, 10–708, 11–202,  
11–213, and 11–214.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–118(e)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,  
Chapter 2 of the Acts of the General Assembly of the Special Session of 2007  
Section 13(a)

BY repealing and reenacting, with amendments,  
Chapter 397 of the Acts of the General Assembly of 2011  
Section 11

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1104(b), 10–211(b), 10–218(b), 11–101, 11–102(a), 11–217(b),  
11–701(b) and 12–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 11–221(d) and 11–701.1  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 12–105(f)(7)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Education

Section 5–203

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 88 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Medical Board Participation**

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to appoint a physician who is a participating employee in the Optional Retirement Program to serve on a medical board, subject to a certain condition; prohibiting a medical board physician who is a participating employee in the Optional Retirement Program from participating in certain cases under certain circumstances; and generally relating to the appointment of medical boards for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–126

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 89 – Delegates Stifler, Burns, Haddaway–Riccio, Jameson, Love, W. Miller, Minnick, and Schuh**

AN ACT concerning

**Public Safety – Elevators – Lift Mechanic License**

FOR the purpose of authorizing the Elevator Safety Review Board to establish certain fees for the application, issuance, and renewal of licenses issued to certain lift



mechanics; requiring a person to be licensed by the Board as a lift mechanic before providing certain services; establishing requirements for an applicant for a lift mechanic license; authorizing a licensed lift mechanic to provide certain services; defining a certain term; and generally relating to lift mechanics.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–801(a)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–801(o) through (r), 12–824, and 12–826(e)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

BY adding to  
Article – Public Safety  
Section 12–801(o), 12–826(e), 12–827(d), and 12–832(e)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 90 – Delegates Aumann, Frank, Boteler, Cluster, Impallaria, Kach,  
and Szeliga**

AN ACT concerning

**Election Law – Baltimore County Republican Party Central Committee –  
Election of Chairman**

FOR the purpose of requiring the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large; altering the number of members of the central committee; and generally relating to the election of the Chairman of the Baltimore County Republican Party Central Committee.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 4–202 and 4–203(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 91 – Delegates W. Miller, Aumann, Bates, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Fisher, Frank, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, McMillan, Norman, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stifler, Stocksdale, and Szeliga**

AN ACT concerning

**Labor and Employment – Labor Organizations – Right to Work**

FOR the purpose of prohibiting an employer from requiring, as a condition of employment or continued employment, an employee or prospective employee to join or remain a member of a labor organization, pay charges to a labor organization, or pay a certain amount to a third party under certain circumstances; prohibiting an employer from threatening an employee or a prospective employee with certain action; specifying that certain agreements, understandings, or practices between employers and labor organizations are null and void and without legal effect; authorizing an employee or prospective employee to file an action in a certain circuit court for a certain violation of law; specifying that an employee or a prospective employer is entitled to injunctive relief and to recover certain damages and costs under certain circumstances; providing that a certain violation of law is a misdemeanor and is subject to certain penalties; requiring the Attorney General to take certain action to ensure effective enforcement of certain law, investigate certain complaints, and try certain prosecutions; specifying that the Attorney General has certain powers and duties relating to criminal prosecutions under certain circumstances; specifying that certain provisions of law are unenforceable under certain circumstances; repealing a certain provision of law that prohibits a court from granting relief under certain circumstances; repealing certain provisions of law related to fees paid by employees to certain labor organizations; defining certain terms; providing for the application of this Act; and generally relating to the rights of individuals, employee organizations, and employers.

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission

Section 5–114.1(f)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article 28 – Maryland–National Capital Park and Planning Commission

Section 5–114.1(j)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 2–309(j)(5)(i) and (ii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(j)(5)(iii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–407, 6–504, and 16–414.1(e)(3) and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–595.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–904(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 4–304  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Labor and Employment  
Section 4–701 through 4–707 to be under the new subtitle “Subtitle 7. Right to  
Work”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 92 – Delegates Simmons and Dumais**

AN ACT concerning

**Domestic Violence – Shielding – Complete Removal of Information from  
Public Web Site**

FOR the purpose of clarifying the definition of “shielding” in certain provisions relating to the removal from the public Web site maintained by the Maryland Judiciary of certain court records concerning domestic violence; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–512  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 93 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

FOR the purpose of the purpose of authorizing the creation of a State Debt in the amount of \$15,324,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; providing generally for the issuance and sale of bonds evidencing the loan; and generally relating to Qualified Zone Academy Bonds.

Read the first time and referred to the Committee on Appropriations.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

#### **House Rule 116**

Delegate Barve moved to make House Rule 116 a Special Order for January 25, 2012.

The motion was adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 14)

### **ADJOURNMENT**

At 10:22 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 19, 2012.

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**Annapolis, Maryland**  
**Thursday, January 19, 2012**

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The House met at 10:17 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 15)

The Journal of January 18, 2012 was read and approved.

**EXCUSES:**

Del. Donoghue – funeral

Del. Hubbard – illness

Del. McMillan – business

Del. F. Turner – illness

Del. Valderrama – business – out of state

Del. Walker – personal

Del. Wilson – personal

**INTRODUCTION OF BILLS**

**House Bill 94 – Delegates Haddaway–Ricchio, Afzali, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Beitzel, Branch, Bromwell, Cane, Clippinger, Conway, Donoghue, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glass, Glenn, Hershey, Hogan, Hubbard, Impallaria, Jacobs, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, McDermott, McDonough, McHale, McIntosh, McMillan, W. Miller, Murphy, Myers, O’Donnell, Olszewski, Otto, S. Robinson, Rudolph, Schulz, Smigiel, Sophocleus, Stifler, Stocksdale, Vitale, Waldstreicher, Washington, and Wood**

AN ACT concerning

**Vehicle Laws – Special and Commemorative Registration Plates**

FOR the purpose of repealing the authority of the Motor Vehicle Administration to issue certain commemorative registration plates and making certain conforming

changes; requiring rather than authorizing the Administration to issue a special Chesapeake Bay Commemorative Registration Plate; requiring the Administration to disburse certain fees to the Chesapeake Bay Trust; requiring the Administration to consult with the Chesapeake Bay Trust on certain matters; repealing the termination provision for the special registration plate honoring State agriculture; making certain stylistic and technical changes; and generally relating to special and commemorative registration plates for motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–618  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–619.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 251 of the Acts of the General Assembly of 2000, as amended by  
Chapter 398 of the Acts of the General Assembly of 2003 and Chapters  
135 and 136 of the Acts of the General Assembly of 2007  
Section 3

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 95 – Delegates Anderson and McDermott**

AN ACT concerning

#### **Criminal Procedure – District Court Commissioners – Arrest Warrants**

FOR the purpose of prohibiting a District Court Commissioner from issuing an arrest warrant based solely on an application for statement of charges filed by a person other than a peace officer or State's Attorney; and generally relating to powers of District Court Commissioners.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–607(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 96 – Delegates Anderson, Braveboy, Cane, Carter, Clippinger, Conaway, Dumais, Glenn, Hammen, Haynes, Holmes, Howard, Ivey, Jones, K. Kelly, McDermott, McHale, McIntosh, Morhaim, Nathan–Pulliam, Pena–Melnyk, Proctor, B. Robinson, Rosenberg, Stukes, Summers, Tarrant, V. Turner, Vallario, Washington, and Zucker**

AN ACT concerning

**Criminal Procedure – Probation Before Judgment – Subsequent Controlled Dangerous Substance Crime**

FOR the purpose of authorizing a court to impose probation before judgment for a certain second or subsequent controlled dangerous substance crime if the court requires the defendant to graduate from drug court as a condition of probation; and generally relating to probation before judgment.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–220(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 97 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion**

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (40)(e)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 98 – Delegate Griffith (Chair, Joint Committee on Pensions)**



AN ACT concerning

**Teachers' Retirement and Pension Systems – Reemployment of Retirees –  
Maryland School for the Deaf Exemption**

FOR the purpose of exempting from a certain offset of a retirement allowance certain retirees of the Teachers' Retirement System or the Teachers' Pension System who are employed by the Maryland School for the Deaf; and generally relating to the reemployment of retirees in the teachers' retirement and pension systems.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 22–406(a) and (c)(4)(v) and (vi) and 23–407(a) and (c)(4)(iv) and (v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(c)(5) and (6) and 23–407(c)(5) and (6)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 99 – Delegate Kipke**

AN ACT concerning

**Health – Semipermanent Food Service Facilities – Regulations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt certain regulations requiring the operator of a semipermanent food service facility to keep a certain record of wastewater disposal and to use, under certain circumstances, a certain hose to access a potable water supply; defining the term “semipermanent food service facility”; and generally relating to regulations regarding the operation of semipermanent food service facilities.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–301(a) and (h)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 21–301(j–2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–304(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 100 – Delegate Pena–Melnik**

AN ACT concerning

#### **Vital Records – Certificates of Death – Amendments to Cause of Death**

FOR the purpose of authorizing the Office of the Chief Medical Examiner to amend the cause of death on a certificate of death at any time after issuance in accordance with certain procedures; and generally relating to amendments to the cause of death on certificates of death.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 101 – Delegates Pena–Melnik, Anderson, Costa, and Hubbard**

AN ACT concerning

#### **Health – General – Posthumous Use of Donor Sperm and Eggs**

FOR the purpose of prohibiting a person from using sperm or eggs from a known donor after the donor’s death for the purpose of assisted reproduction, except under certain circumstances; establishing requirements for a certain consent; establishing certain penalties for a violation of this Act; and generally relating to the posthumous use of donor sperm and eggs.

BY adding to  
Article – Health – General

Section 20–111  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 102 – Delegates Aumann, Bates, Beitzel, Boteler, Cluster, Eckardt, Frank, George, Hough, Jacobs, Jameson, Kach, Luedtke, McDonough, Minnick, Norman, Otto, Szeliga, and Wood**

AN ACT concerning

**State Government – Commemorative Month – German–American Heritage Month**

FOR the purpose of requiring the Governor to proclaim a certain month each year as German–American Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to German–American Heritage Month.

BY adding to

Article – State Government  
Section 13–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 103 – Delegates Pena–Melnyk, Wilson, Anderson, Braveboy, Costa, Cullison, Donoghue, Elliott, Frick, Frush, Griffith, Hubbard, Kach, A. Kelly, Kipke, Luedtke, Morhaim, Murphy, Nathan–Pulliam, Oaks, Proctor, Reznik, Ross, Tarrant, V. Turner, Walker, and Washington**

AN ACT concerning

**Maryland Medical Assistance Program – Independent Foster Care Adolescents – Age of Eligibility**

FOR the purpose of increasing the age of eligibility for independent foster care adolescents to receive certain health care services from the Maryland Medical Assistance Program, subject to certain conditions; altering a certain definition; providing for the termination of this Act if the U.S. Supreme Court makes a certain ruling; and generally relating to Maryland Medical Assistance Program services for independent foster care adolescents.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a) and 15–103(a)(1) and (2)(xi)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–101(d–1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 104 – Delegates Malone and Kach**

AN ACT concerning

#### **Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway; altering the penalty imposed for a violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; repealing a certain provision of law prohibiting, under certain circumstances, a certain assessment of points for a first violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; making a certain technical correction; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 105 – Delegate McConkey**

AN ACT concerning

**Anne Arundel County Board of Education – Selection of Members – Straw  
Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Anne Arundel County at the November general election of 2012 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Anne Arundel County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Anne Arundel County.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 106 – Delegate McConkey**

AN ACT concerning

**Anne Arundel County Board of Education – Appointed Members Subject to  
Contested Elections**

FOR the purpose of requiring that the appointed members of the Anne Arundel County Board of Education be subject to contested elections; repealing certain provisions relating to a retention election for certain appointed members of the county board; providing for a nonpartisan election for the county board under certain circumstances; providing that certain candidates for election to the county board be nominated and that the elections be conducted in a certain manner; establishing rules regarding the inclusion of a candidate's name on the ballot and the counting of votes in the event a candidate dies, declines the nomination, or becomes disqualified; requiring the Governor to appoint a certain individual to fill a vacancy on the county board under certain circumstances; and generally relating to contested elections for certain appointed members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108, 3–110, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 3–2A–01 to be under the new subtitle “Subtitle 2A. Anne Arundel County”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 107 – Delegates Hubbard, Barnes, Braveboy, Carr, Costa, Cullison, Donoghue, Frush, Gaines, Hucker, Ivey, A. Kelly, Kipke, Luedtke, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnik, Pendergrass, Reznik, S. Robinson, Ross, Tarrant, V. Turner, Valentino–Smith, and Waldstreicher**

AN ACT concerning

**Public Health – Child Care Products Containing Flame Retardant Chemicals (TRIS) – Prohibition**

FOR the purpose of prohibiting a person from selling or offering for sale certain child care products containing certain flame retardant chemicals (TRIS) on or after a certain date; providing that this Act does not apply to the sale or distribution of a child care product that is resold, offered for resale, or distributed by a consumer for consumer use; providing for certain penalties; authorizing a court to enjoin certain actions; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; defining certain terms; and generally relating to child care products containing TRIS.

BY adding to

Article – Health – General

Section 24–305

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 108 – Delegates Luedtke, Bobo, Frush, Guzzone, Jameson, Kaiser, A. Kelly, McDermott, A. Miller, Reznik, S. Robinson, and Zucker**

AN ACT concerning

**Vehicle Laws – Stopping, Standing, and Parking – Plug–In Vehicles**

FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that is not a plug–in vehicle in a space that is marked for the use of plug–in vehicles and provides access to a plug–in vehicle recharging station; defining a

certain term; and generally relating to a prohibition against stopping, standing, or parking nonplug-in vehicles in certain spaces.

BY adding to

Article – Transportation  
Section 11–145.1 and 21–1003(ff)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 109 – Delegate Vitale**

AN ACT concerning

#### **Public Safety – Elevator Safety Review Board – Membership**

FOR the purpose of altering the membership of the Elevator Safety Review Board to add a member representing the elevator interior renovation industry; and generally relating to the membership of the Elevator Safety Review Board.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 12–820(a)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 110 – Delegate Barkley**

AN ACT concerning

#### **Alcoholic Beverages – Follow-Up Criminal History Records Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository (CJIS) to provide local licensing boards with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the local licensing boards with revised printed statements under certain circumstances; defining a certain term; and generally relating to criminal history records checks of alcoholic beverages licensees and license applicants.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 1–102(a)(19)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 10–103(f)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 111 – Delegates Anderson, Braveboy, Cane, Carter, Conaway, Glenn, Haynes, Holmes, McDermott, McIntosh, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, B. Robinson, Rosenberg, Washington, and Zucker**

AN ACT concerning

**Criminal Law – Failure to Return Rental Vehicle – Repeal**

FOR the purpose of repealing a certain crime of abandonment of a rented motor vehicle or refusal or willful neglect to return a rented motor vehicle at the end of the leasing or rental period; making a certain conforming change; providing for the application of this Act; and generally relating to repealing a certain crime of failure to return a rental vehicle.

BY repealing  
Article – Criminal Law  
Section 7–205  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 14–105  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 41 – ~~Senator Colburn~~ Senators Colburn, Pipkin, and Mathias**



AN ACT concerning

**Caroline County, Dorchester County, Talbot County, and Wicomico County –  
Prospective Employees and Volunteers – Criminal History Records Check**

FOR the purpose of authorizing a certain officer in Caroline County, Dorchester County, Talbot County, or Wicomico County to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a certain officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective employee or volunteer and a certain officer the prospective employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be disseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing bodies of Caroline County, Dorchester County, Talbot County, and Wicomico County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks.

BY renumbering

Article – Criminal Procedure  
Section 10–236  
to be Section 10–234.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure  
Section 10–231.2, 10–232.1, 10–234.2, and 10–236  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 16)

**ADJOURNMENT**

At 10:43 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 20, 2012.

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**Annapolis, Maryland  
Friday, January 20, 2012**

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The House met at 11:04 A.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 17)

The Journal of January 19, 2012 was read and approved.

**EXCUSES:**

Del. Bohanan – business

Del. Davis – doctor’s appointment

Del. Hershey – illness

Del. Jameson – business – NCSL Executive Meeting

Del. McIntosh – illness

Del. O’Donnell – personal

Del. Szeliga – business

Del. F. Turner – illness

Del. Valderrama – business – out of state

Del. Walker – personal

Del. Wilson – personal

Del. Wood – funeral

**INTRODUCTION OF BILLS**

**House Bill 112 – Delegate McDermott**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Public Defender – Representation**

FOR the purpose of establishing a certain exception to a requirement that representation be provided by the Office of the Public Defender at all stages of

certain proceedings; making this Act an emergency measure; and generally relating to representation by the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–204  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 113 – Delegates Kipke, Aumann, Bates, Boteler, Bromwell, Costa, Dwyer, Eckardt, Elliott, Frank, George, Glass, Hogan, Kach, K. Kelly, Krebs, McComas, McDermott, McMillan, Myers, Schuh, Schulz, Smigiel, Stocksdale, Szeliga, Vitale, and Wood**

AN ACT concerning

**Election Law – Polling Places – Proof of Identity**

FOR the purpose of requiring an election judge to establish a voter's identity by requiring the voter to present certain proof of identity; requiring a voter to vote a provisional ballot if the voter is unable to provide certain proof of identity; prohibiting a person from knowingly and willfully voting or attempting to vote under a false form of identification; making conforming and clarifying changes; and generally relating to requiring voters to present proof of identity at a polling place.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–310 and 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 114 – Delegates Jameson and Minnick**

AN ACT concerning

**Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements**

FOR the purpose of excluding from the assessments imposed by the Workers' Compensation Commission and payable to the Subsequent Injury Fund and the Uninsured Employers' Fund the amount of certain medical benefits under a certain settlement agreement under certain circumstances; and generally

relating to settlement agreements and assessments payable to the Subsequent Injury Fund and the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–806 and 9–1007  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 115 – Delegates Jameson, Cluster, and DeBoy**

AN ACT concerning

**Criminal Procedure – Warrantless Arrests – Theft Crimes**

FOR the purpose of expanding the authority of a police officer without a warrant to arrest a person suspected of committing a certain theft crime; and generally relating to warrantless arrests.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 7–104(g) and 7–105  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 2–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 2–203(b)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 116 – Delegates Kipke and George**

AN ACT concerning

**Blind Industries and Services – Procurement Preference – Exception**

FOR the purpose of creating an exception to the requirement that the State or a State aided or controlled entity buy supplies and services from the Blind Industries and Services of Maryland under certain circumstances for supplies or services available at a certain price preference; requiring the State or a State aided or controlled entity that obtains supplies or services under the exception to report the procurement to the Secretary of General Services in a certain manner; and generally relating to procurement preferences for the Blind Industries and Services of Maryland.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 117 – Delegates Mitchell, Anderson, Clippinger, Conaway, McDermott, Simmons, Smigiel, Stukes, and Washington**

AN ACT concerning

**State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date**

FOR the purpose of altering the date by which the State Commission on Criminal Sentencing Policy is required to submit a certain report; clarifying the contents of the report; and generally relating to the State Commission on Criminal Sentencing Policy.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–209  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 118 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Education – Retiree Health Savings – Maintenance of Effort**

FOR the purpose of excluding from the maintenance of effort calculation a reduction in retiree health costs under certain circumstances; excluding from the maintenance of effort calculation a certain calculation for a certain year; providing for the application of this Act; and generally relating to education funding.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 119 – Delegates McDermott, Anderson, Clippinger, Conaway,  
Hough, McComas, Mitchell, Smigiel, and Waldstreicher**

AN ACT concerning

**Criminal Procedure – Misdemeanors – Citations**

FOR the purpose of expanding the authority of a police officer to charge a person by citation to include any misdemeanor, except certain crimes of violence; defining a certain term; and generally relating to misdemeanors and citations.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–101(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 4–101(e)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 14–101(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 120 – Delegates Sophocleus, Beidle, Costa, Dwyer, Frush, George,  
Kipke, Love, and Vitale**

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County – Warrants**

FOR the purpose of authorizing certain warrant officials to certify to the Comptroller the existence of an outstanding warrant; requiring the Comptroller to withhold the Maryland income tax refunds of certain individuals with outstanding warrants under certain circumstances; providing that certain provisions of law apply only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring a certain certification to contain certain information; requiring the Comptroller, under certain circumstances, to withhold an individual's income tax refund and notify the individual of a certain certification; providing that the Comptroller may not pay a Maryland income tax refund until the warrant official notifies the Comptroller that the warrant is no longer outstanding; requiring the Comptroller to withhold and pay certain required amounts before withholding any part of certain income tax refunds; requiring the Office of the Comptroller to submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to

Article – Tax – General

Section 13–935 through 13–939 to be under the new part “Part VII. Income Tax Refund Withholding – Warrants”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 121 – Delegate Beitzel**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Dedicated Funds – Prohibition of Transfer – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of certain dedicated funds to the General Fund; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

Article III – Legislative Department



## Section 53

Read the first time and referred to the Committee on Appropriations.

**House Bill 122 – Delegates Aumann, Szeliga, Holmes, Afzali, Bates, Beitzel, Boteler, Burns, Cluster, Conway, DeBoy, Eckardt, Frank, Frush, Gaines, George, Glenn, Guzzone, Haddaway–Ricchio, Hogan, James, Kach, Kaiser, Kipke, Krebs, Lafferty, McComas, McConkey, McDermott, McDonough, Minnick, Morhaim, Norman, Ready, Schulz, Sophocleus, Stocksdale, Vitale, Washington, and Wood**

AN ACT concerning

**Crimes – Death or Disappearance of Minor – Required Reporting and Prohibited Acts  
 (“Caylee’s Law”)**

FOR the purpose of requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, under certain circumstances and within certain periods of time depending on the age of the minor, the appropriate law enforcement agency that the minor is missing; requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within a certain period of time, an appropriate law enforcement agency or medical authority that the minor has died; prohibiting a parent or other person who has permanent care or custody or responsibility for the supervision of a minor who has died from knowingly engaging in certain conduct; establishing certain penalties for a violation of this Act; and generally relating to conduct following the death or disappearance of a minor.

BY adding to

Article – Criminal Law  
Section 3–608 through 3–610  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan–Pulliam, Pena–Melnyk, Ross, Stein, and Waldstreicher**

A House Joint Resolution concerning

**Maryland Ratification of the 17th Amendment to the United States  
Constitution**

FOR the purpose of ratifying the 17th Amendment to the United States Constitution relative to the popular election of United States Senators.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 9 – Senator Forehand**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County –  
Mental Health Association HVAC Replacement**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to allow the matching fund requirement for a certain grant to consist of real property, in kind contributions, and funds expended prior to a certain date; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(AZ) and ZA03(AR)

Read the first time and referred to the Committee on Appropriations.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 18)

**ADJOURNMENT**

At 11:25 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 23, 2012.

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**Annapolis, Maryland**  
**Monday, January 23, 2012**

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The House met at 8:02 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 20)

The Journal of January 20, 2012 was read and approved.

**EXCUSES:**

Del. Bobo – personal

Del. Cane – illness

Del. Harrison – medical

Del. Impallaria – medical

Del. S. Robinson – grandmother's death

Del. Ross – business

Del. Sophocleus – illness

Del. Stocksdale – medical

Del. F. Turner – illness

Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 123 – Delegate Clagett**

AN ACT concerning

**Vehicle Laws – Wireless Communication Devices – Enforcement of  
Prohibitions on Use While Driving**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; and generally relating to the enforcement of prohibitions against the use of a wireless communication device while operating a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 124 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than \$100,000,000 in order to finance the cost of certain public facilities in Frederick County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; providing that such borrowing may be undertaken by Frederick County in the form of installment purchase obligations executed and delivered by Frederick County for the purpose of acquiring agricultural land and woodland preservation easements; and generally relating to the issuance and sale of the bonds by Frederick County.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 125 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Property Tax Credit – Job Creation by Small Businesses**

FOR the purpose of authorizing the governing body of Frederick County to grant, by law, a property tax credit against the county property tax imposed on real

property owned or leased by certain business entities that meet certain requirements; providing for the amount and duration of certain property tax credits; requiring a lessor of real property in Frederick County eligible for certain property tax credits to reduce by a certain amount the amount of tax for which the tenant is contractually liable under the lease under certain circumstances; requiring the governing body of Frederick County to provide, by law, requirements for eligibility for the property tax credit, any additional limitations on the credit, and any other provision necessary to implement the credit; defining certain terms; providing for the application of this Act; and generally relating to a county property tax credit for certain new or existing business entities located in Frederick County.

BY renumbering

Article – Tax – Property

Section 9–312(i)

to be Section 9–312(j)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 9–312(i)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 126 – Delegates Beidle, Niemann, and Weir**

AN ACT concerning

#### **Maryland Condominium Act – Right of Entry to Investigate Damage and Make Repairs**

FOR the purpose of authorizing the council of unit owners of a condominium or its authorized designee to enter units to investigate damage; repealing a certain restriction on the right of a council of unit owners or its designee to enter a unit; requiring a council of unit owners to make a reasonable effort to give notice to the owner of a unit to be entered for the purpose of investigation except under certain circumstances; making stylistic changes; and generally relating to the right of a council of unit owners to enter a unit to investigate damage and make repairs.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–125(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 127 – Delegates Luedtke, Cardin, Hixson, and Ivey**

AN ACT concerning

**Maryland Referendum Integrity Act**

FOR the purpose of requiring each individual who signs a petition to provide certain information on the petition printed in the individual's own handwriting; requiring that an affidavit executed by a petition circulator on each signature page of a petition be notarized; prohibiting an individual who is convicted of certain election law violations from being a petition circulator; extending the period of time during which judicial review of a determination concerning a petition may be sought; prohibiting a person from willfully and knowingly giving, promising, or offering a petition circulator any form of compensation based on the number of signatures collected; prohibiting a petition circulator from willfully and knowingly receiving or agreeing to receive any form of compensation based on the number of signatures collected; and generally relating to the requirements of the petition process.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–203(a), 6–204, 6–210(e), and 16–401  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 128 – Delegates Arora, Barve, Bobo, Feldman, Washington, and Zucker**

AN ACT concerning

**Taxes – Electing Small Business Trusts State Tax Loophole Elimination Act**

FOR the purpose of modifying the definition of federal adjusted gross income as it relates to certain fiduciaries to include certain income of an electing small business trust; providing for the application of this Act; and generally relating to the definition of federal adjusted gross income for certain trusts under the Maryland income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–101(e)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 129 – Caroline County Delegation**

AN ACT concerning

**Caroline County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Caroline County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 130 – Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington**

AN ACT concerning

**Laser Safety Act**

FOR the purpose of making it a misdemeanor to knowingly and willfully cause or attempt to cause bodily injury by shining, pointing, or focusing the beam of a laser pointer on an individual operating a motor vehicle, vessel, or aircraft; exempting certain individuals from this Act under certain circumstances; specifying a penalty; specifying that a sentence imposed under this Act is in addition to a certain other sentence; defining a certain term; and generally relating to the criminal use of a laser pointer.

BY adding to  
Article – Criminal Law  
Section 3–807  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.



**House Bill 131 – Delegates Kipke, Barkley, Barnes, Barve, Bobo, Boteler, Cardin, Carr, Eckardt, Feldman, Frick, Frush, Glass, Glenn, Haddaway–Riccio, Huckler, Impallaria, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kramer, Love, Luedtke, McComas, McDermott, McHale, A. Miller, Minnick, Morhaim, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Schuh, Stocksdale, V. Turner, Vitale, and Waldstreicher**

AN ACT concerning

**Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies**

FOR the purpose of requiring a retail pet store that sells dogs to post conspicuously on each dog's cage certain information about the dog; requiring a retail pet store to maintain a written record that contains certain information about each dog in the possession of the retail pet store; requiring a retail pet store to maintain a certain record for a certain period of time after the date of sale of a dog; requiring a retail pet store to make certain records available to certain persons and the Department of Labor, Licensing, and Regulation under certain circumstances; requiring a retail pet store to provide a certain written health disclosure to a purchaser; authorizing a purchaser of a dog to seek certain remedies for certain health problems under certain circumstances; requiring a purchaser seeking a remedy under this Act to provide certain notice and information to the retail pet store and to take the dog for certain examinations on request; requiring a certain statement by a veterinarian to contain certain information; establishing criteria for certain veterinary fees to be considered reasonable; requiring the owner or operator of a retail pet store to make a certain reimbursement within a certain period of time; providing that a purchaser is not entitled to a remedy under this Act under certain circumstances; authorizing a retail pet store to contest a remedy under this Act in a certain manner; authorizing a contested remedy to be resolved in a certain manner; authorizing a court or arbiter to require a party acting in bad faith to pay reasonable attorney's fees and court costs of the adverse party; requiring a retail pet store to conspicuously post a certain notice of purchaser's rights under this Act; requiring a retail pet store to provide a written notice of purchaser's rights under this Act at a certain time in a certain manner; requiring a retail pet store that makes a certain representation related to a dog's registration to provide a certain notice to a purchaser at the time of the sale in a certain manner; prohibiting a retail pet store from making certain statements, promises, or representations related to a dog's registration unless the retail pet store provides certain documents to the purchaser within a certain period of time; authorizing a purchaser to seek a certain remedy if a retail pet store does not provide certain documents under certain circumstances; establishing civil penalties for a first or subsequent violation of this Act; establishing that this Act does not limit certain rights or remedies, the ability to agree to certain additional terms and conditions, or the ability of the State or a local government

to prosecute a retail pet store for any other violation of laws; defining certain terms; and generally relating to required records, health disclosures, and purchase remedies related to dog sales by retail pet stores.

BY adding to

Article – Business Regulation

Section 19–701 through 19–708 to be under the new subtitle “Subtitle 7. Retail Pet Stores”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 132 – Delegates W. Miller and Bates**

AN ACT concerning

#### **State Highway Administration – Roundabouts – Displaying Flag of the United States**

FOR the purpose of requiring the State Highway Administration to establish a permit program allowing individuals and organizations to display a United States flag on State–owned circular islands at the center of a traffic roundabout; authorizing the Administration to charge a permit fee to offset certain costs; requiring the Administration to adopt certain regulations, including certain safety guidelines; and generally relating to authority to display a United States flag on State–owned circular islands at the center of a traffic roundabout.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–652

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 133 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of License Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain

requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–906.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 134 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Archery Hunting – Safety Zone**

FOR the purpose of establishing for archery hunters in Carroll County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(g)

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 135 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Board of Elections – Membership**

FOR the purpose of altering the number of regular members and eliminating substitute members on the Carroll County Board of Elections; requiring the members of the board to be of certain political parties; requiring that a vacancy on the board be filled in a certain manner; providing for a delayed effective date; and generally relating to the Carroll County Board of Elections.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2–201(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 136 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities**

FOR the purpose of authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain housing units at independent living retirement communities; authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to provide, by law, for certain provisions necessary to carry out the tax credit; specifying that the full benefit of the tax credit be assigned to certain residents; providing for the application of this Act; defining a certain term; and generally relating to a

property tax credit in Carroll County for certain housing units in certain independent living retirement communities.

BY adding to

Article – Tax – Property

Section 9–308(f)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 137 – Delegate Frick**

AN ACT concerning

#### **Vehicle Laws – Death of Joint Vehicle Owner – Certificate of Title Fee**

FOR the purpose of prohibiting the Motor Vehicle Administration from charging a fee for the issuance of a certificate of title for a vehicle to the joint owner of the vehicle on the death of another joint owner; and generally relating to Motor Vehicle Administration fees for the issuance of a certificate of title for a vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–801 and 13–802

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–805

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 138 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Polling Places – Electioneering Boundaries**

FOR the purpose of making Carroll County subject to the general rule for locating the line beyond which electioneering is prohibited outside a polling place; requiring that the line be as near as practicable to a certain distance from the entrance and exit of the polling place; repealing an exception, applicable to Carroll

County, regarding the boundaries for electioneering outside a polling place; and generally relating to electioneering at a polling place in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 16–206  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 139 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Election Law – Early Voting Centers**

FOR the purpose of requiring Carroll County to have a certain minimum and maximum number of early voting centers established in the county if the county has fewer than a certain number of registered voters; and generally relating to the establishment of early voting centers in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 140 – Delegates Hough, Afzali, Boteler, Cluster, Dwyer, Eckardt, Frank, George, Hogan, Kaiser, Kipke, McComas, McDermott, McDonough, McMillan, Parrott, Ready, and Smigiel**

AN ACT concerning

#### **Department of Public Safety and Correctional Services – Annual Report on Effectiveness of Programs for Offenders**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to study the effectiveness of certain programs for offenders; requiring the study to contain certain information; requiring the Department to report annually to the Governor and the General Assembly on or before a certain date; and generally relating to the Department of Public Safety and Correctional Services and reports on effectiveness of programs for offenders.

BY adding to

Article – Correctional Services  
Section 2–601 to be under the new subtitle “Subtitle 6. Reports”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 141 – Delegate Feldman**

AN ACT concerning

#### **Life Sciences Advisory Board – Purpose and Membership**

FOR the purpose of establishing the purpose of the Life Sciences Advisory Board in the Department of Business and Economic Development; altering the membership of the Advisory Board; and generally relating to the Life Sciences Advisory Board.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 3–201  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 3–202 and 3–203(a)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 142 – Delegate Beitzel**

AN ACT concerning

#### **Garrett County – Alcoholic Beverages – Follow-Up Criminal History Records Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository (CJIS) to provide the Board of License Commissioners for Garrett County with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the Board with revised printed statements under certain circumstances; defining a certain term; making a certain stylistic change; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–103(b)(13)(x)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 143 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Salary Study Commission – Membership**

FOR the purpose of altering the membership of the Salary Study Commission in Garrett County to substitute a member of the League of Women Voters of Garrett County with a member of the Garrett County Mayors Association; and generally relating to membership on the Garrett County Salary Study Commission.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Garrett County  
Section 32.40  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2010 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County  
Section 32.41  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2010 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 144 – Delegates Eckardt, Cane, and Haddaway–Riccio**

**EMERGENCY BILL**

AN ACT concerning

**Dorchester County – Turkey Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.



BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 145 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Adult Detention Center – Processing and Administrative Fees**

FOR the purpose of establishing a processing fee and general educational development administrative fee for certain individuals in the Frederick County Adult Detention Center; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 11–712(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Correctional Services  
Section 11–712(e) and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 146 – Delegates Krebs, Afzali, Aumann, Barkley, Bates, Beitzel, Boteler, Cluster, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Haddaway–Ricchio, Hershey, Hogan, Hough, Jacobs, Kach, Kipke, McComas, McConkey, McDermott, McDonough, McMillan, W. Miller, Norman, Otto, Parrott, Ready, Schuh, Schulz, Smigiel, Stifler, Stocksdale, Szeliga, Vitale, and Wood**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Transportation Trust Fund Protection Act**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation with a certain exception; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; requiring that funds in a certain account in the Transportation Trust Fund be distributed in a certain manner; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

Read the first time and referred to the Committee on Appropriations.

**House Bill 147 – Delegates Beidle, Love, Pena–Melnyk, and Sophocleus**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – YWCA Counseling and  
Community Service Building Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$325,000, the proceeds to be used as a grant to the Board of Directors of the Young Women’s Christian Association of Annapolis and Anne Arundel County Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 148 – Delegates Beidle, Love, Pena–Melnyk, and Sophocleus**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Samaritan House Addition**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Samaritan House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 149 – Delegates Beidle, Olszewski, Glenn, Lafferty, Niemann, and Norman**

AN ACT concerning

**Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear**

FOR the purpose of authorizing a certain insurer to exclude a moped and motor scooter from certain insurance benefits; expanding the pool of vehicles eligible to be covered by the Maryland Automobile Insurance Fund; requiring a moped or motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain certain security; requiring an application for the registration of a moped or motor scooter to be submitted electronically; requiring a licensed dealer of mopeds or motor scooters under certain circumstances to obtain a moped or motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of mopeds and motor scooters; establishing an annual registration fee and surcharge for mopeds and motor scooters; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing certain protective headgear and a certain eye-protective device; authorizing the Motor Vehicle Administrator to approve or disapprove certain headgear and eye-protective devices and adopt and enforce certain regulations; requiring the Administrator to publish a certain list; establishing that the failure of certain individuals to wear certain protective headgear or a certain eye-protective device may not be considered certain evidence or diminish the recovery of certain damages; establishing that certain provisions relating to moped and motor scooter headgear and eye-protective devices do not limit certain liabilities or rights; requiring certain procedures in certain civil proceedings; providing that certain vehicle equipment and inspection requirements do not apply to mopeds and motor scooters; altering certain definitions; making certain stylistic changes and technical corrections; and generally relating to mopeds and motor scooters.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19-505(c) and 20-501

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–134.1, 11–134.5, 13–101.1, 13–402(a)(1), 17–104(a) and (b), 21–1207, 23–101(a), 23–104, 23–107(a)(1), 23–202(a)(1), and 23–206(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–135, 11–176, 13–403, 13–954, 22–101(e)(1), 23–101(i)(3), and 23–206.2(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation

Section 13–939.3, 21–1306.1, and 23–206.2(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 150 – Allegany County Delegation**

AN ACT concerning

#### **Allegany County – Solicitation of Money or Donations from Occupants of Vehicles – Prohibitions and Permit Program**

FOR the purpose of prohibiting, in Allegany County, a person from standing, or causing, encouraging, allowing, or petitioning another to stand, in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle, subject to a certain exception; authorizing the governing body of the county or of a municipal corporation in the county to enact a certain permit program to allow individuals who are at least a certain age and representatives of certain organizations who are at least a certain age to solicit money or donations from the occupant of a vehicle by standing in a roadway, median divider, or intersection in the county or municipal corporation; requiring an applicant for a certain permit to submit proof of a certain plan; requiring that an application for a certain permit be effective only for a certain period of time; providing that an individual or a certain organization may obtain only a certain number of a certain permit per calendar year; and generally relating to the solicitation of money from occupants of vehicles in Allegany County.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–507(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 151 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Frederick County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 152 – Delegates Hammen, Clippinger, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Patterson Park Public Charter School Facade Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Patterson Park Public Charter School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 153 – Delegates Hammen, Clippinger, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Meals on Wheels Green Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of Meals on Wheels of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 154 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, George, Glass, Hershey, Hogan, Hough, Ivey, Jacobs, A. Kelly, Krebs, McComas, A. Miller, Myers, Niemann, Otto, Parrott, Ready, Schulz, and Sophocleus**

AN ACT concerning

**Estate Tax – Exclusion of Qualified Agricultural Property**

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; limiting the Maryland estate tax imposed on certain agricultural property above a certain amount; defining certain terms; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 155 – Delegate Beidle**

AN ACT concerning

**Homeowners Associations – Adoption of Rules – Notice to Lot Owners**

FOR the purpose of requiring the governing body of a homeowners association to provide lot owners with a copy of a proposed rule and certain notice before it may adopt the rule; establishing a procedure to allow lot owners or tenants to comment on the proposed rule at an open meeting; requiring that a proposed rule be passed at a regular or special meeting by a majority vote of those

present and voting of the governing body of the homeowners association; authorizing the proposed rule, the notice of the proposed rule, and the notice of the meeting to adopt the proposed rule to be sent to lot owners by electronic transmission, by posting on the homeowners association's home page, or by including the proposed rule or notices in the homeowners association's newsletter; establishing a procedure to allow lot owners to appeal an adopted rule; authorizing a lot owner or tenant to request an individual exception to a rule adopted while the individual was a lot owner or tenant; and generally relating to the adoption of rules by a homeowners association.

BY adding to

Article – Real Property

Section 11B–111.7

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 156 – Delegate Beidle**

AN ACT concerning

#### **Real Property – Condominiums – Rescission of Sales Contracts**

FOR the purpose of limiting a condominium purchaser's right to rescind in writing a contract of sale based on amended material in a vendor's public offering statement to certain amendments that affect materially and adversely the purchaser's rights; requiring a purchaser to state in writing the purchaser's reason for rescission when it is based on certain amended material in a vendor's public offering statement; stating the intent of the General Assembly; making stylistic changes; and generally relating to the rescission of condominium sales contracts.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–126(a), (b), and (d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–126(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 157 – Delegates George, Costa, McMillan, Schuh, and Sophocleus**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Sprinkler Assistance  
Revolving Fund**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Economic Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 158 – Delegates Beidle and Vitale**

AN ACT concerning

**Property Tax – High Performance Building Tax Credit – National Green  
Building Standards**

FOR the purpose of altering a certain definition for purposes of the high performance building tax credit; and generally relating to tax credits for high performance buildings.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–242  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 159 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, Gaines,  
Glass, Hershey, Hogan, Ivey, Jacobs, A. Kelly, Krebs, Luedtke,  
McComas, McDermott, McHale, A. Miller, Myers, Niemann, Otto,  
Parrott, Ready, Ross, Schulz, Sophocleus, Walker, and Wilson**

AN ACT concerning

**Agriculture – Maryland Standard of Identity for Honey**

FOR the purpose of establishing a Maryland standard of identity for honey; requiring the standard to be applied to certain products; authorizing the designation of



certain products as honey; requiring certain products to be distinguished from pure honey under certain circumstances; authorizing certain naming and labeling requirements for honey; requiring that the country of origin be declared on the label for a certain honey designation; requiring that certain styles of honey be declared on the label; authorizing a person that has suffered certain damages to bring a certain action to recover damages in a certain court; clarifying that, notwithstanding certain provisions of law, the Department of Agriculture is not required to enforce the requirements of this Act; defining certain terms; and generally relating to establishing a standard of identity for honey in Maryland.

BY adding to

Article – Agriculture

Section 10–1901 through 10–1907 to be under the new subtitle “Subtitle 19.  
Standard of Identity for Honey”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 160 – Delegates Niemann, Barnes, Beidle, Branch, Braveboy, Carr, Carter, Clippinger, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Kipke, Lafferty, McMillan, Proctor, Ross, Summers, V. Turner, and Weir**

AN ACT concerning

### **Motor Vehicles – Towing Practices and Procedures**

FOR the purpose of establishing a motor vehicle towing, recovery, and storage lien on a towed motor vehicle on behalf of the tower for certain towing, recovery, and storage charges; prohibiting a motor vehicle towing, recovery, and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; providing that a motor vehicle towing, recovery, and storage lienor may only sell a motor vehicle to which a lien is attached in a certain manner; requiring a motor vehicle towing, recovery, and storage lienor to return certain motor vehicle registration plates to the Motor Vehicle Administration under certain circumstances; requiring the Motor Vehicle Administration to provide a receipt for the return of certain motor vehicle registration plates; establishing certain notice and publication requirements for the public sale of a towed vehicle; requiring the Administration to issue a salvage certificate to the purchaser of an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien under certain circumstances; providing for the application process for a salvage certificate for an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien; requiring certain motor vehicle towing, recovery, and storage lienors to file a certain court action in a certain manner under certain circumstances; requiring the Motor Vehicle Administration to issue a certificate of title that contains a conspicuous

“salvage” notation under certain circumstances; clarifying the application of certain security requirements for tow trucks; altering certain security requirements for tow trucks; altering certain penalties for certain violations related to tow truck vehicle registration; providing for the statewide application of certain provisions of law governing the towing or removal of vehicles from parking lots; altering the content required on certain signage related to the towing, recovery, and storage of vehicles; altering the maximum distance that, and the locations to which, a vehicle towed from a parking lot may be transported for storage, subject to a certain exception; altering certain maximum amounts that a person may charge for towing, recovering, and storing a vehicle under certain circumstances; authorizing a tower to charge certain persons for the actual costs of providing certain notice; altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to provide certain notice to certain persons within a certain time period after towing a vehicle from a parking lot; requiring a tower to provide certain persons with certain itemized costs; requiring a tower to obtain certain photographic evidence from the parking lot owner before towing a vehicle from a parking lot; prohibiting a tower from towing a vehicle for a certain violation within a certain time period; altering the storage facility to which a tower is required to transport a towed vehicle; prohibiting the removal of a towed vehicle from a certain storage facility for a certain time period; clarifying the required opportunity that certain persons must provide for the reclamation of a towed vehicle; requiring a tower to release a towed vehicle to certain persons under certain circumstances; requiring a storage facility for towed vehicles to accept payment in certain manners under certain circumstances and to make an automatic teller machine available on the premises under certain circumstances; requiring a storage facility that is in possession of a towed vehicle to make the vehicle available to certain persons for certain purposes; altering the persons eligible to seek certain civil damages from a tower under certain circumstances; altering certain penalties for certain towing violations; establishing certain penalties for violations relating to motor vehicle towing, recovery, and storage liens; making a certain stylistic change; making a certain technical correction; altering a certain definition; and generally relating to motor vehicle towing practices and procedures.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 16–202(c) and 16–207

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 16–206

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–152, 13–506(b), (e), and (f), 13–507(b), 13–920, 21–10A–01 through 21–10A–06, and 27–101(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation

Section 13–506(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–507(a)(1) and (2) and 27–101(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 161 – Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus**

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel**

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Anne Arundel County; authorizing the Clerk of the Circuit Court for Anne Arundel County to collect a certain appearance of counsel fee; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–204(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 162 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Administrative and Operational  
Expenses – Certifications and Notifications**

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to send certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before certain dates; and generally relating to certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–316  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 21)

**ADJOURNMENT**

At 8:24 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 24, 2012.

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**Annapolis, Maryland**  
**Tuesday, January 24, 2012**

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The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Barbara A. Robinson of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 22)

The Journal of January 23, 2012 was read and approved.

**EXCUSES:**

Del. Cane – illness

Del. Carter – business

Del. Donoghue – doctor’s appointment

Del. Kach – illness

Del. S. Robinson – grandmother’s death

Del. Ross – business

Del. Sophocleus – illness

Del. Stocksdale – medical

Del. F. Turner – illness

Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 163 – Delegate Arora**

AN ACT concerning

**Motor Vehicles – Prohibition on Use of Text Messaging Device While Driving  
– Exceptions**

FOR the purpose of establishing that the prohibition on using a text messaging device while driving does not apply to the use of voice recognition technology that allows the hands-free sending of a text message or an electronic message or the use of a text messaging device to listen to a text message or an electronic message; and generally relating to exceptions to the prohibition on using a text messaging device while driving.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1124.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 194 and 195 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 164 – Delegate Rosenberg**

AN ACT concerning

**Family Law – Marriage Licenses and Ceremonies**

FOR the purpose of repealing the requirement that a marriage license be issued by the clerk for the county in which the marriage is performed; authorizing a clerk of any county of the State to issue a marriage license; repealing the requirement that a marriage license contain a statement that the license is valid only in the county in which it is issued; making conforming changes; and generally relating to marriage licenses and ceremonies in Maryland.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 2–101

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–401, 2–403(a), and 2–405(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 165 – Delegates Stukes, Alston, Anderson, Arora, Boteler, Braveboy, Burns, Cane, Carr, Carter, Conaway, Davis, Gilchrist, Glenn, Gutierrez, Harrison, Haynes, Holmes, Howard, Ivey, Jones, Love, A. Miller, Mitchell, Myers, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Summers, Tarrant, V. Turner, Vallario, Walker, Washington, Wilson, and Zucker**

AN ACT concerning

**State Government – Commemorative Days – Juneteenth National Freedom Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Juneteenth National Freedom Day; and generally relating to commemorative days.

BY adding to

Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 166 – Delegates Stukes, Boteler, Braveboy, Gutierrez, Howard, A. Miller, Myers, Summers, and Walker**

AN ACT concerning

**Maryland Transit Administration – Audio and Video Recording Devices on Vehicles Used for Transit Service**

FOR the purpose of requiring the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, to activate the audio recording device; requiring the Administration to post a certain notice on each vehicle equipped with an audio recording device; limiting, to certain persons and only for certain purposes, the review of any audio recording that is made on a vehicle used to provide transit service; requiring the Administration, in cooperation with the Office of the Attorney General, to adopt certain regulations; and generally relating to audio and video recording devices on vehicles used to provide transit service.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 7–101(l) and (n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 7–705.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington**

AN ACT concerning

**Agriculture – Commercial Feed – Arsenic Prohibition**

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; and generally relating to the contents of commercial feed.

BY adding to

Article – Agriculture

Section 6–107.3

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 168 – Delegates Lafferty, Anderson, Barnes, Bobo, Braveboy, Cane, Carr, Davis, Frush, Gaines, Gilchrist, Healey, Hubbard, Hucker, Ivey, Kaiser, Luedtke, Nathan–Pulliam, Pena–Melnyk, S. Robinson, Rosenberg, Ross, Summers, V. Turner, Waldstreicher, and Washington**

AN ACT concerning

**Human Relations – Housing Discrimination – Source of Income**

FOR the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; establishing certain qualifications and limitations on the general prohibition against discrimination in housing based on source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from inducing or attempting to induce, for profit, a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person having a particular source of income; prohibiting a person whose business includes engaging in residential real estate



transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person from denying a person, based on source of income, access to or membership or participation in a service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against a person in the terms or conditions of membership; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining a certain term; providing that certain provisions concerning source of income do not apply to certain housing; providing that this Act does not limit the rights or remedies that are otherwise available to a landlord or tenant under any other law; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 169 – Delegate Lafferty**

AN ACT concerning

#### **Environment – At-Store Recycling – Plastic Carryout Bags**

FOR the purpose of requiring the operator of certain retail stores to establish an at-store recycling program for plastic carryout bags; requiring certain retail stores to print or display certain language on plastic carryout bags provided by the store; requiring certain stores to provide certain collection bins for the recycling of plastic carryout bags in a certain manner; requiring certain stores to make reusable bags available to customers; requiring a plastic carryout bag manufacturer to develop and make available certain educational materials; providing that a county or municipality is not prohibited from adopting certain ordinances, resolutions, regulations, or rules under certain circumstances; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring certain civil penalties to be deposited into a certain fund; requiring the Department of the Environment to adopt certain regulations; defining certain terms; and generally relating to the recycling of plastic carryout bags.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1707(f)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1733 through 9–1736 to be under the new part “Part V. Plastic  
Carryout Bag Recycling”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 22A)

### **ADJOURNMENT**

At 10:31 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 25, 2012.

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**Annapolis, Maryland**  
**Wednesday, January 25, 2012**

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The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric M. Bromwell of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 24)

The Journal of January 24, 2012 was read and approved.

**EXCUSES:**

Del. Alston – illness  
Del. Bobo – family medical emergency  
Del. Cane – illness  
Del. Hogan – personal – birth of baby  
Del. Holmes – personal  
Del. Kach – illness  
Del. W. Miller – business  
Del. Oaks – funeral  
Del. Ross – business  
Del. Stifler – personal – child ill  
Del. Stocksdale – medical  
Del. F. Turner – illness  
Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 170 – St. Mary’s County Delegation**

AN ACT concerning

**State Employees’ Retirement and Pension Systems – Eligible Employees – St.  
Mary’s Nursing Center, Inc.**

FOR the purpose of authorizing certain employees of the St. Mary’s Nursing Center, Inc. to continue to participate in the State employees’ retirement and pension systems; updating the name of the St. Mary’s County Nursing Home in a

certain list of governmental units eligible for participation in the employees' systems; and generally relating to the participation of certain St. Mary's Nursing Center, Inc. employees in the State employees' retirement and pension systems.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 31–102(2)(xvii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 31–106.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 171 – St. Mary's County Delegation**

AN ACT concerning

#### **St. Mary's County – Winery Special Event Permits – Farmers' Markets**

FOR the purpose of authorizing the Office of the Comptroller to issue a winery special event permit to a Class 4 Maryland limited winery in St. Mary's County for unlimited use for a certain amount of time each week at certain farmers' markets in St. Mary's County; and generally relating to the issuance of a winery special event permit for use at a farmers' market in St. Mary's County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(12)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 172 – Delegate Kipke**

AN ACT concerning

**Health Occupations – Dental Hygienists – Local Anesthesia**

FOR the purpose of authorizing a dental hygienist to administer certain local anesthesia by inferior alveolar nerve block under certain circumstances; requiring a dental hygienist to complete certain education and examination requirements before performing certain functions; requiring a dental hygienist to obtain certain education from an accredited dental hygiene program; requiring a dental hygienist who completed certain requirements before a certain date to take and complete a certain course and clinical examination; authorizing the State Board of Dental Examiners to adopt certain regulations; altering a certain definition; and generally relating to the administration of local anesthesia by dental hygienists.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 4–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–101(k) and 4–205(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 4–206.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 173 – Delegates Cardin and George**

AN ACT concerning

**Election Law – Voter Registration Agencies – Electronic Signatures**

FOR the purpose of authorizing an applicant registering to vote at a voter registration agency to consent to the use of an electronic copy of the applicant's signature that is on file with the voter registration agency as the applicant's signature for the application being submitted; requiring a voter registration agency to transmit an electronic copy of the signature of certain applicants for voter

registration to the State Board within a certain period of time; and generally relating to the use of electronic signatures for voter registration at voter registration agencies.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 174 – Delegate George**

AN ACT concerning

#### **Local Government Self-Insurance Funds – Investment Guidelines**

FOR the purpose of altering the definition of “public funds”, as it relates to certain local government investment guidelines, to exclude certain funds held by certain local governments for self-insurance purposes; and generally relating to public funds subject to local government investment guidelines.

BY repealing and reenacting, without amendments,  
Article 95 – Treasurer  
Section 22F(a)(1) and (6)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22F(a)(7)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 175 – Delegates Cluster, Aumann, Boteler, Bromwell, Burns, Cardin, Frank, Impallaria, Kach, Lafferty, McDonough, Minnick, Morhaim, Stein, Szeliga, and Weir**

AN ACT concerning

#### **Baltimore County Revenue Authority – Public Ethics Law**

FOR the purpose of altering the provisions of the Maryland Public Ethics Law to include each member and employee of the Baltimore County Revenue Authority

in the definition of “local official” for all purposes of the Baltimore County Public Ethics Law; and generally relating to public ethics laws and the Baltimore County Revenue Authority.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–803  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–807(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 176 – Delegates Gutierrez, Carr, and Waldstreicher**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009 to extend the deadline for the Board of Directors of CHI Centers, Inc. to present evidence that a matching fund will be provided for a certain grant; requiring that the Board of Public Works expend or encumber the proceeds of the loans by June 1, 2014; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009.

BY repealing and reenacting, with amendments,  
Chapter 290 of the Acts of the General Assembly of 2002, as amended by  
Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA00(OO)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AI)

Read the first time and referred to the Committee on Appropriations.

**House Bill 177 – Delegates McIntosh, Anderson, Beidle, Clippinger, Glenn, Hammen, Lafferty, Love, Mitchell, Oaks, B. Robinson, Sophocleus, Stein, and Washington**

AN ACT concerning

**Ground Leases – Registration – Failure to Register**

FOR the purpose of prohibiting a ground lease holder from collecting certain ground rent payments, bringing a certain action, or obtaining a certain lien unless the ground lease is registered with the State Department of Assessments and Taxation and the ground lease holder has mailed a certain bill to certain addresses; altering the required contents of certain notices; repealing a certain deadline for registering a ground lease with the Department; repealing certain provisions of law relating to the extinguishment of the reversionary interest of a ground lease holder for failure to register the ground lease before a certain date; making certain conforming changes; establishing that certain ground lease extinguishment certificates are void and have no effect; and generally relating to ground leases.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–102(a), 8–402.3(d) and (e)(3), 8–704, 8–705, 8–709, 8–710, 8–711, and 14–116.1(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–402.3(c) and (e)(1), and 8–703

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Real Property

Section 8–707, 8–708, and 14–116.1(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

Section 8–707 and 14–116.1(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 178 – Delegate Bohanan**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – St. Mary’s County –  
United States Colored Troops Memorial Monument**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to add the Board of County Commissioners of St. Mary’s County as a grantee to a certain grant, expanding the purpose of the grant, and altering a certain date in the matching fund requirement of the grant; extending the deadline for the grantee to present evidence that a matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2016; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA03(BK)

Read the first time and referred to the Committee on Appropriations.

**House Bill 179 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Distillery Licenses**

FOR the purpose of authorizing a holder of a Class 1 manufacturer’s license to produce samples of liquor at a distillery in St. Mary’s County and to provide the samples to certain individuals who participate in a guided tour of the distillery; establishing certain restrictions on the amount of liquor that may be provided as samples; establishing a Class 7 distillery wholesaler’s license; requiring that a holder of the Class 7 distillery wholesaler’s license operate a distillery in St. Mary’s County, produce at the distillery a certain amount of its own liquor annually, and be the holder of a Class 1 manufacturer’s license; authorizing a holder of the Class 7 distillery wholesaler’s license to sell and deliver the brand of liquor produced at the premises to a retail licensee or permit holder in the State authorized to acquire the liquor; prohibiting a holder from selling the liquor to a licensed wholesaler; establishing a certain fee; and generally relating to distillery licenses in St. Mary’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–202 and 2–301(a) and (b)  
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 180 – Delegates Hixson, Branch, A. Miller, Rosenberg, Ross, Stukes, and Walker**

AN ACT concerning

**Task Force to Study the County and Municipal Revenue Structure**

FOR the purpose of establishing a Task Force to Study the County and Municipal Revenue Structure; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the County and Municipal Revenue Structure.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 181 – Delegate Summers**

AN ACT concerning

**Income Tax – Subtraction Modification – Overtime Compensation**

FOR the purpose of providing a subtraction modification under the Maryland income tax for a certain amount of income received as overtime compensation required by the federal Fair Labor Standards Act of 1938; providing for the application and termination of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income received as overtime compensation.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–207(y)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 182 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County Board of Elections – Salary**

FOR the purpose of altering the salary of the members of the St. Mary’s County Board of Elections; providing that this Act does not apply to the salary or compensation of the incumbent members of the St. Mary’s County Board of Elections; and generally relating to the salary of the members of the St. Mary’s County Board of Elections.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–204(a)(19)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 183 – Delegates Rosenberg, Carter, Cullison, Elliott, Frank, Gutierrez, Love, Luedtke, Mizeur, Oaks, Summers, and Tarrant**

AN ACT concerning

**State Government – Human Relations – Discrimination in Housing, Employment, and Places of Public Accommodation**

FOR the purpose of making certain provisions of law related to discrimination by a place of public accommodation applicable to a certain Internet Web site of a certain business entity; prohibiting an owner or operator of a place of public accommodation from refusing, withholding from, or denying to any person the services of the place of public accommodation because of certain characteristics of the person; providing that each time a person is affected by a certain discriminatory act is a separate violation; making certain provisions of law related to enforcement applicable to alleged discrimination by a place of public accommodation; authorizing certain remedies for discrimination by a place of public accommodation; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of transportation services; authorizing a complainant alleging discrimination by a place of public accommodation to bring a civil action under certain circumstances; providing for the venue of and remedies in a certain civil action; repealing the authority of the Commission on

Civil Rights to seek an order assessing a civil penalty for discrimination by a place of public accommodation; altering the definition of “disability” for purposes of provisions of law relating to discrimination in employment and housing; defining certain terms; requiring an Internet Web site created and made available to the public before a certain date to be made accessible to the blind and visually impaired on or before a certain date; requiring an Internet Web site created or substantially revised on or after a certain date to be accessible to the blind and visually impaired on or before a certain date; making conforming changes; and generally relating to discrimination in housing, employment, and places of public accommodation.

BY renumbering

Article – State Government  
Section 20–101(e) and (f), respectively  
to be Section 20–101(f) and (g), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 20–101(a), 20–601(a), and 20–701(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–301, 20–304, 20–601(b), 20–701(b), 20–1001, 20–1006(b), 20–1007(a)  
and (b), 20–1009, 20–1012(a) and (b), 20–1013, 20–1016(a), and 20–1017  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 184 – Delegates Hixson, Hucker, and Mizeur**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Quebec Terrace Lighting**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Trustees of ArtPreneurs, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 185 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

**Education – Talbot County – Participation in High School Athletic Programs**

FOR the purpose of allowing certain students to participate in certain interscholastic athletic activities of other schools in Talbot County under certain circumstances; and generally relating to participation in high school athletic programs.

BY adding to

Article – Education

Section 4–127

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 186 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)**

**EMERGENCY BILL**

AN ACT concerning

**Department of the Environment – Permit Proceedings – Judicial Review**

FOR the purpose of clarifying the right of parties to appeal to the Court of Special Appeals a decision by a circuit court regarding certain final permit determinations by the Department of the Environment; providing for the application of this Act; making this Act an emergency measure; and generally relating to judicial review of certain final permit determinations by the Department of the Environment.

BY repealing and reenacting, with amendments,  
Article – Environment

Section 1–601 and 5–204(i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 187 – Delegates K. Kelly and Simmons**

AN ACT concerning

**Criminal Procedure – Expungement – Filing on Behalf of Deceased Person**

FOR the purpose of authorizing a person’s attorney or personal representative to file a certain petition for expungement on behalf of the person if the person died before disposition of a certain charge by nolle prosequi or dismissal; providing for the application of this Act; and generally relating to expungement of criminal records.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 10–105(a–1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 188 – Delegates Eckardt, Beidle, Dwyer, Haddaway–Ricchio, Hershey, Jacobs, Kipke, McConkey, and Valentino–Smith**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Synthetic Cannabinoids**

FOR the purpose of listing certain chemical compounds, known as synthetic cannabinoids, on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to synthetic cannabinoids.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 189 – Delegates Walker and Oaks**

AN ACT concerning

**State Government – Sickle Cell Anemia Awareness Month**

FOR the purpose of requiring the Governor to proclaim the month of September to be “Sickle Cell Anemia Awareness Month”.

BY adding to

Article – State Government  
Section 13–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 190 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Noise Control**

FOR the purpose of altering certain findings by the General Assembly; requiring the Department of the Environment to revise certain noise standards and sound level limits under certain circumstances; repealing requirements that the Department develop a certain plan, coordinate certain programs, and keep certain records; repealing a requirement that State agencies consult with the Department under certain circumstances; authorizing certain political subdivisions, instead of the Department, to make certain determinations; repealing certain requirements for political subdivisions related to noise control and sound level limits; repealing the Environmental Noise Advisory Council in the Department; repealing the Interagency Noise Control Committee; requiring certain political subdivisions to make certain considerations in adopting certain noise standards, sound level limits, and noise control rules; repealing a requirement that the Department adopt certain regulations jointly with the Department of Transportation; repealing requirements for the adoption and enforcement of noise standards, sound level limits, or noise control rules and regulations by the Department or other units; repealing the Department’s authority to enforce certain sound level limits and noise control rules and

regulations; authorizing a political subdivision to enforce certain sound level limits and noise control rules and regulations; repealing certain provisions authorizing the Secretary of the Environment to delegate certain enforcement in Harford County under certain circumstances; repealing requirements that the Department use certain facilities and services under certain circumstances; repealing the Department's authority to assist in certain noise control efforts; authorizing certain political subdivisions to make a certain investigation, survey, test, or assessment under certain circumstances; altering the boundaries for certain sound level limits; authorizing a political subdivision, instead of the Department, to take certain enforcement actions under certain circumstances; altering certain penalty provisions; altering a certain definition; and generally relating to the adoption and enforcement of noise control standards.

BY repealing and reenacting, with amendments,

Article – Environment

Section 3–101 through 3–103, 3–105, 3–401, 3–403 through 3–407, and 3–501  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 3–104, 3–408, 3–502, and 3–503

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Environment

Section 3–201 through 3–205 and the subtitle “Subtitle 2. Environmental Noise Advisory Council”, 3–301 through 3–304 and the subtitle “Subtitle 3. Interagency Noise Control Committee”, 3–402, and 3–504 through 3–506

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 191 – Delegate Walker**

AN ACT concerning

#### **State Board of Education – Financial Literacy Curriculum – Graduation Requirement**

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring each county board of education to implement the financial literacy curriculum content developed by the State Board in certain high schools; requiring students to complete a certain



course in order to graduate from high school; and generally relating to the development and implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 192 – Delegates Jacobs, Hershey, and Smigiel**

AN ACT concerning

#### **Kent County – Alcoholic Beverages – Micro–Brewery Licenses**

FOR the purpose of adding Kent County to the list of counties in which a Class 7 micro–brewery license may be issued; adding the county to the list of counties in which the license holder may sell at retail beer brewed under the license for consumption off the licensed premises under certain conditions; providing that the license may only be issued to a holder of a Class D beer (off–sale) license; providing for the hours and days for sale for the license; and generally relating to alcoholic beverages in Kent County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–208

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 193 – Delegate Walker**

AN ACT concerning

#### **Consumer Protection – Home Appliances – Warranty Enforcement**

FOR the purpose of requiring a manufacturer of home appliances or its agent to repair or correct a nonconformity in a home appliance at no cost to the consumer if the home appliance does not conform to the manufacturer's express warranties; providing that a manufacturer's obligation to repair or correct a nonconformity under this Act applies only if the consumer satisfies certain conditions; requiring a manufacturer, under certain circumstances and at the option of the consumer, to replace a home appliance with a comparable home appliance or

accept return of a home appliance and refund the purchase price less certain reasonable allowances; requiring that a refund of the purchase price be made to the consumer and any holder of a perfected security interest in the home appliance in a certain manner; providing that the manufacturer is responsible for the cost of returning a home appliance to the manufacturer; providing for certain affirmative defenses; establishing a certain presumption; providing for the extension of the term of a manufacturer's express warranty by any time during which a home appliance is out of service for repair of a nonconformity; providing for the extension of the term of a manufacturer's express warranty and a certain out-of-service period if repair services are not available for certain reasons; providing that this Act does not limit the rights and remedies that otherwise are available to a consumer under any other law; providing that a consumer is not required to resort to a certain informal dispute settlement procedure before certain provisions of this Act apply; providing that a consumer who resorts to an informal dispute resolution procedure may not be precluded from seeking other available remedies; providing that an agreement for the purchase of a home appliance is void to the extent that it attempts to waive, limit, or disclaim certain rights of a consumer; providing that a manufacturer that fails to comply with certain provisions of this Act is liable to the consumer for certain damages; authorizing a court to award reasonable attorney's fees to a prevailing plaintiff in an action brought under this Act; authorizing a court to order a party to pay to the other party reasonable attorney's fees if it appears that an action is brought in bad faith or is frivolous in nature; requiring that an action brought under this Act be brought within a certain time; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; prohibiting a consumer who recovers damages under certain provisions of this Act from recovering damages for the same violation under a certain provision of the Maryland Consumer Protection Act; providing for the application of this Act; defining certain terms; and generally relating to home appliances and the enforcement of manufacturers' express warranties on home appliances.

BY adding to

Article – Commercial Law

Section 14–15A–01 through 14–15A–08 to be under the new subtitle “Subtitle  
15A. Home Appliance Warranty Enforcement Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 194 – Delegates McConkey, Braveboy, Cullison, Elliott, Fisher, Frank, Glass, Hubbard, Kipke, Krebs, McComas, A. Miller, Nathan–Pulliam, Pena–Melnik, Ready, Stukes, and V. Turner**

AN ACT concerning

**State Traumatic Brain Injury Trust Fund**

FOR the purpose of establishing the State Traumatic Brain Injury Trust Fund as a special fund to be used to support certain services for certain individuals with traumatic brain injuries; requiring the Director of the Developmental Disabilities Administration or the Director's designee to administer the Fund; requiring the Director or the Director's designee to report to the Governor and the General Assembly on or before a certain date each year; establishing eligibility for individuals to receive assistance from the Fund; defining certain terms; and generally relating to the establishment of the State Traumatic Brain Injury Trust Fund.

BY adding to

Article – Health – General

Section 13–21A–01 through 13–21A–03 to be under the new subtitle “Subtitle 21A. State Traumatic Brain Injury Trust Fund”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 195 – Delegates Cardin, Arora, Barkley, Barnes, Barve, Bobo, Carr, Frick, Healey, Hixson, Howard, Hubbard, Huckler, Ivey, Kaiser, Lafferty, Luedtke, McIntosh, Mizeur, Murphy, Niemann, Pendergrass, Reznik, Rosenberg, Stein, Summers, V. Turner, and Waldstreicher**

AN ACT concerning

**Public Funding and Small Donor Act for General Assembly Elections**

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and

conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to raise certain supplemental private contributions under certain circumstances; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Public Funding and Small Donor Act for General Assembly Elections.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226, 13–227, and 13–235

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 13–505; and 15–101 through 15–118 to be under the new title “Title 15. Public Funding and Small Donor Act for General Assembly Elections”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 196 – Delegates Walker, Alston, Anderson, Bates, Braveboy, Burns, Cardin, Davis, Feldman, Frank, Frush, George, Haynes, Healey, Holmes, Howard, Hubbard, Ivey, Kach, Lafferty, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnik, Proctor, B. Robinson, Ross, Summers, Tarrant, V. Turner, Vaughn, Wilson, Wood, and Zucker**

AN ACT concerning

**Student Health and Fitness Act**

FOR the purpose of requiring a public school student in elementary school to be provided a certain minimum level of a program of physical activity each week; requiring that the program of physical activity for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate certain activities; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; requiring a county school system that receives a certain extension to have a plan to ensure the county school system's compliance with this Act by a certain date; and generally relating to student health and fitness.

BY renumbering

Article – Education

Section 7–409(b), (c), (d), (e), and (f), respectively  
to be Section 7–409(c), (d), (e), (f), and (g), respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–205(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–409(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 7–409(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 197 – Chair, Judiciary Committee (By Request – Departmental –  
Public Safety and Correctional Services)**

AN ACT concerning

**Department of Public Safety and Correctional Services – Representation on  
Boards, Commissions, and Councils**

FOR the purpose of altering the membership representing the Department of Public Safety and Correctional Services on the Correctional Training Commission, the Sexual Offender Advisory Board, and the State Alcohol and Drug Abuse Council; and generally relating to representation of the Department of Public Safety and Correctional Services on boards, commissions, and councils.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 8–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 8–204(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 1–401(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–401(b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–2801  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2802(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 198 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Delegation of the Secretary’s Authority**

FOR the purpose of authorizing the Deputy Secretary of Public Safety and Correctional Services to exercise certain authority with the approval of the Secretary of Public Safety and Correctional Services; prohibiting the Deputy Secretary from exercising certain authority; and generally relating to the Secretary’s authority.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 2–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 199 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Sentence Review – Review Panel**

FOR the purpose of altering the number of judges on a criminal sentence review panel; altering a certain definition to require review panel judges to be of a certain judicial circuit; clarifying who is entitled to a sentence review by a review panel; clarifying that a sentence includes any suspended portion for the purposes of a sentence review; repealing a provision of law authorizing a certain sentencing judge to sit with a review panel in an advisory capacity; establishing that a review panel has jurisdiction over a defendant’s case once a sentence has been changed; clarifying who may be heard at a criminal sentence review hearing; and generally relating to criminal sentence reviews and review panels.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–101, 8–102, 8–105, and 8–106  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 200 – Delegates Walker and Olszewski**

AN ACT concerning

**Election Law – Voting by Registered Offenders at Polling Places –  
Prohibition**

FOR the purpose of prohibiting certain registered offenders from voting at certain polling places on election day or at certain early voting centers; authorizing certain registered offenders who are prohibited from voting at certain polling places or early voting centers to vote at certain early voting centers or by absentee ballot; requiring the supervising authority of certain registered offenders to give written notice and explain the requirements of this Act when a registrant registers; repealing a provision of law authorizing certain registered offenders to enter school property for the purpose of voting on election day; requiring the supervising authority of certain registered offenders to give written notice of the requirements of this Act to each offender who is registered on the date this Act takes effect; providing that the State Board of Elections and local boards of elections are not required to take any action to implement or administer this Act; and generally relating to prohibiting certain registered offenders from voting at certain polling places and early voting centers.

BY adding to

Article – Election Law

Section 10–103

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–704(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–708(a) and 11–722

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 201 – Delegate Niemann**



AN ACT concerning

**Public Schools – Meal Menus – Nutrition Information**

FOR the purpose of requiring each public school, beginning in a certain school year, to list the number of calories contained in a menu item next to the menu item on a certain menu published by the school; and generally relating to public schools and meal menu nutrition information.

BY adding to

Article – Education

Section 7–434

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 202 – Delegates Griffith, Braveboy, and Davis**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Walker Mill Community Development Corporation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Walker Mill Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 203 – Delegates Krebs, Aumann, Bates, Boteler, Cluster, Eckardt, Elliott, Fisher, Frank, George, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Kach, Kipke, McComas, McConkey, McDermott, McDonough, McMillan, W. Miller, Norman, O’Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Stifler, Stocksdale, Szeliga, Vitale, and Wood**

AN ACT concerning

**Maryland Death Taxes – Family Property Protection Act**

FOR the purpose of repealing a certain limit on the unified credit used for determining the Maryland estate tax; repealing a requirement that the Maryland estate tax shall be in effect even if the federal estate tax is not in effect on the date of the decedent's death; repealing a requirement that the Maryland estate tax be determined without regard to a certain deduction allowed under the federal estate tax; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 7–309(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(1), (2), and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 204 – Harford County Delegation**

AN ACT concerning

#### **Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants**

FOR the purpose of altering the residency requirement for applicants for alcoholic beverages licenses in Harford County; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–101(a)(2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 205 – Harford County Delegation and Delegates Impallaria, James, McComas, McDonough, Norman, and Stifler**

AN ACT concerning

#### **Harford County – Alcoholic Beverages – Wine Festival License**

FOR the purpose of removing a certain requirement that wine festivals in Harford County be held at a certain time, during certain months, and not conflict with other certain wine festivals; and generally relating to wine festival licenses in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–309  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 206 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio, Impallaria, Love, W. Miller, Olszewski, and Vaughn**

AN ACT concerning

**Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements**

FOR the purpose of authorizing a secondhand precious metal object dealer, during a certain holding period, to place certain items into a secure container under certain circumstances; requiring a dealer to tag certain items in a certain manner when the dealer places certain items in the dealer’s inventory; and generally relating to requirements for securing and tagging items by a secondhand precious metal object dealer.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 207 – Delegates Reznik and Love**

AN ACT concerning

**Tanning Devices – Use by Minors – Prohibition**

FOR the purpose of prohibiting certain owners, employees, and operators of tanning facilities from allowing minors to use tanning devices; and generally relating to tanning devices.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 208 – Delegate Mitchell**

AN ACT concerning

#### **Baltimore City Public School System – Governance**

FOR the purpose of altering the appointment process of certain members of the Baltimore City Board of School Commissioners; altering the composition of the board; altering a certain procedure to fill a certain vacancy on the board; altering a certain procedure to remove a member from the board; altering a certain procedure for the selection of the chairman of the board; altering the purpose of the board; making the board responsible for certain functions assigned to it by the Chief Executive Officer of the board; repealing certain powers and functions of the board; requiring the Chief Executive Officer to report to the Mayor of Baltimore City; requiring the Chief Executive Officer to designate certain individuals with certain advisory responsibilities; requiring the Mayor to employ the Chief Executive Officer and establish a certain salary; requiring the Chief Executive Officer to select certain officers, directors, and advisory board members subject to the approval of the Mayor; authorizing the board to exercise certain advisory powers under certain circumstances; requiring the Chief Executive Officer annually to update and submit a certain master plan to the board for its review and to the Mayor for final approval; requiring the board to adopt certain regulations proposed by the Chief Executive Officer governing the procurement of certain goods and services; requiring the board to establish a certain personnel system proposed by the Chief Executive Officer; authorizing the Chief Executive Officer to make certain determinations relating to the personnel system; requiring the board to enter into certain collective bargaining agreements with the approval of the Mayor and the Chief Executive Officer; authorizing the board to make certain determinations relating to the appointment and removal of teachers, teacher qualifications, and textbooks selection with the approval of the Chief Executive Officer; requiring the Chief Executive Officer to make a certain annual report to the State Board of Education; requiring the board to establish certain policies proposed by the Chief Executive Officer relating to firearms carried by certain police officers; requiring the board to adopt certain regulations proposed by the Chief Executive Officer governing the operation of a certain police force; requiring the Chief Executive Officer to submit an annual school budget; requiring the Chief Executive Officer to submit a certain report relating to

certain budget alterations; requiring the Chief Executive Officer to spend certain revenues in accordance with certain budget categories; requiring the Chief Executive Officer to make a certain report relating to actions that would commit the Chief Executive Officer to spend more for a certain fiscal year in a certain category than the amount approved in a certain budget; authorizing the Chief Executive Officer to spend certain nonlocal funds under certain circumstances; requiring the Chief Executive Officer to advertise certain bids in a certain manner; making a certain exception; authorizing the Chief Executive Officer to reject certain bids; requiring the Chief Executive Officer to procure certain green product cleaning supplies under certain circumstances; specifying the terms of the members of the Baltimore City Board of School Commissioners appointed by the Mayor of Baltimore City; submitting this Act to a referendum of the qualified voters of Baltimore City; and generally relating to the governance of the Baltimore City Public School System.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–108.1, 4–303, 4–304(b), (c), and (d), 4–305, 4–306, 4–306.1(a), 4–306.3(a), 4–307, 4–308(a), 4–309(a) and (c)(17), 4–310(a), 4–311(a), 4–312, 4–316, 4–318(d) and (f), 5–102(b), 5–103, 5–105, 5–112(a), (b), (c), (e), and (f), 6–201(c), and 6–202(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–102(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 209 – Delegates Mitchell, Anderson, Arora, Clippinger, Cluster, Dumais, Glenn, Hubbard, McDermott, B. Robinson, Simmons, Stukes, Summers, Tarrant, Valentino–Smith, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Public Safety – Possession of Firearms – Crimes Committed in Other States**

FOR the purpose of prohibiting a person from possessing a regulated firearm, rifle, or shotgun if the person was previously convicted of an offense under the laws of another state or the United States that would constitute a certain crime if committed in this State; and generally relating to restrictions on possession of a regulated firearm, rifle, or shotgun.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(c)(1) and 5–206(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 210 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County – School Buses – Length of Operation**

FOR the purpose of lengthening the period of time that a school vehicle may be operated in St. Mary’s County, subject to certain requirements; and generally relating to the length of operation of certain school buses in St. Mary’s County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 211 – Delegates Ivey, Vaughn, Griffith, Afzali, Alston, Anderson, Arora, Barkley, Barnes, Barve, Beidle, Beitzel, Bohanan, Branch, Braveboy, Burns, Cane, Carr, Carter, Clagett, Clippinger, Cullison, Davis, DeBoy, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway–Ricchio, Harrison, Haynes, Healey, Hershey, Hixson, Holmes, Hucker, James, Jameson, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McConkey, McIntosh, A. Miller, Minnick, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Ross, Rudolph, Schuh, Schulz, Simmons, Smigiel, Stein, Stukes, Summers, Tarrant, V. Turner, Walker, Washington, Wilson, Wood, and Zucker**

#### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

#### **Elected Officials – Removal from Office – Crimes**

FOR the purpose of requiring that an elected official of the State or of a county or municipal corporation who is convicted of or enters a certain plea relating to a

felony or certain misdemeanors be removed from office by operation of law; repealing the provision of law that requires an elected official to be suspended from office by operation of law under certain circumstances; making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XV – Miscellaneous  
Section 2

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 212 – Delegates Eckardt, Haddaway–Riccio, Hershey, Jacobs, McDermott, and Smigiel**

AN ACT concerning

**Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check**

FOR the purpose of authorizing a certain officer in Caroline County, Dorchester County, and Talbot County to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a certain officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective employee or volunteer and a certain officer the prospective employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing bodies of Caroline County, Dorchester County, and Talbot County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks.

BY renumbering  
Article – Criminal Procedure  
Section 10–236  
to be Section 10–234.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure

Section 10–231.2, 10–232.1, and 10–234.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 213 – Delegates Branch, McIntosh, Anderson, Clippinger, Glenn,  
Hammen, McHale, Mitchell, Oaks, B. Robinson, and Washington**

AN ACT concerning

**Baltimore City Community Enhancement Transit–Oriented Development  
Fund**

FOR the purpose of establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; requiring that a certain portion of certain revenues from certain projects and certain other money be paid into the Fund; requiring the Comptroller to pay certain money from the Fund to the Mayor and City Council of Baltimore City in a certain manner; authorizing the Mayor and City Council to use or make awards of money received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; stating certain findings of the General Assembly; providing for the application of this Act; providing for the purposes of certain provisions of this Act; defining certain terms; and generally relating to the Baltimore City Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 1–101(e)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Economic Development  
Section 15–101 through 15–107 to be under the new title “Title 15. Baltimore  
City Community Enhancement Transit–Oriented Development Fund”  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)



BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

### **House Bill 214 – Delegate Impallaria**

AN ACT concerning

#### **Harford County – Harford Community College – Authority to Incur Debt**

FOR the purpose of authorizing the Harford Community College Board of Trustees to borrow money for certain purposes and secure certain debt in a certain manner; and generally relating to the authority of the Harford Community College Board of Trustees to incur debt.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–302  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 215 – Delegates Stukes, Anderson, Boteler, Braveboy, Burns, Carter, Clippinger, Conaway, Glenn, Gutierrez, Hammen, Harrison, Haynes, Howard, McHale, Mitchell, Tarrant, Walker, and Washington**

AN ACT concerning

#### **Local Government – Investment in Our Youth (IO–YOUth) Programs**

FOR the purpose of authorizing a county to establish an Investment in Our Youth (IO–YOUth) Program; specifying the purpose of the Program; requiring a county that establishes a Program to establish a committee to carry out the Program; specifying that a nonprofit organization must meet certain requirements to be eligible for a grant from a Program; prohibiting a nonprofit organization that receives a grant from a Program from using the grant for certain purposes; requiring a county that establishes a Program to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by certain funds and donations; providing that certain funds may be used only for funding the Program; authorizing an employer to make a deduction from the wage of an employee, under certain circumstances, for the

benefit of a Program; requiring that a certain written request include certain information; requiring certain employers to pay certain funds to the Comptroller; requiring the Comptroller to distribute to the counties certain funds at certain times; requiring a county that receives certain funds to pay the funds into a certain special fund; specifying the amount of funds distributed to a county under a certain provision of this Act; requiring the Comptroller to distribute, at certain times, a certain amount of certain funds to an administrative cost account; allowing an individual or a corporation a subtraction modification under the Maryland income tax equal to the amount of a donation to a Program if the donation is not allowed as a deduction under the federal income tax; providing for the construction of a certain provision of this Act; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to Investment in Our Youth (IO–YOUth) Programs.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 25–101 through 25–104 to be under the new title “Title 25. Investment  
in Our Youth (IO–YOUth) Programs”  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–208(a) and 10–308(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–308(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Ways and Means.

### **House Bill 216 – Washington County Delegation**

AN ACT concerning

**Washington County – Distribution of Amounts to Town of Williamsport –  
Payments in Lieu of Property Taxes on Electricity Generation Facilities**

FOR the purpose of altering the requirement that Washington County distribute certain proceeds of certain payments in lieu of property taxes under certain circumstances; providing for the application of this Act; and generally relating to the distribution of certain proceeds in Washington County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 7–514(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–514(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 217 – Delegates Pena–Melnyk, Gutierrez, and Reznik**

AN ACT concerning

**Council for the Procurement of Health, Educational, and Social Services**

FOR the purpose of establishing the Council for the Procurement of Health, Educational, and Social Services; providing for the composition, chair, and staffing of the Council; requiring the Council to advise the Board of Public Works on a certain task force report and make certain recommendations for the procurement process for health, educational, and social services; requiring the Council to report its activities and recommendations to the General Assembly on or before a certain date each year; and generally relating to the Council for the Procurement of Health, Educational, and Social Services.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(a) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 12–110  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 218 – Delegates Pena–Melnyk, Gutierrez, Oaks, and Tarrant**

AN ACT concerning

**Commission on Civil Rights – Discrimination in Employment – Computation of Time for Filing a Civil Action**

FOR the purpose of providing that certain time during which certain administrative proceedings are pending is not included in the computation of a certain time period for filing a civil action alleging an unlawful employment practice; and generally relating to the Commission on Civil Rights, discrimination in employment, and the computation of time for filing a certain civil action.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–1013(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 219 – Delegates Kipke, Arora, Eckardt, Elliott, Frank, George, Hough, McDermott, Minnick, Ready, and Stocksdales**

AN ACT concerning

**State Lottery – Problem Gambling Measures**

FOR the purpose of requiring that certain regulations of the State Lottery Agency include measures intended to reduce or mitigate the effects of problem gambling; and generally relating to the State lottery and problem gambling.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 220 – Delegates Kipke, Costa, A. Kelly, Krebs, Murphy,  
Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**Procurement – Community Service Providers – Executive Compensation –  
Reporting Requirements**

FOR the purpose of requiring certain community service providers to prepare a report of certain executive compensation and submit the report to certain entities; and generally relating to executive compensation of community service providers.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–101(a) and (b), 14–103, and 14–108  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**House Rule 116**

Delegate Barve moved to make House Rule 116 a Special Order for February 8, 2012.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 25)

**ADJOURNMENT**

At 10:27 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 26, 2012.

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**Annapolis, Maryland**  
**Thursday, January 26, 2012**

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The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 26)

The Journal of January 25, 2012 was read and approved.

**EXCUSES:**

Del. Bobo – family medical emergency  
Del. Harrison – illness  
Del. Hershey – doctor’s appointment  
Del. Hogan – personal – birth of baby  
Del. McMillan – business  
Del. Mizeur – late – personal  
Del. Proctor – death in family  
Del. Stocksdale – medical  
Del. F. Turner – illness  
Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 221 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Healthy Start Client Service  
Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Healthy Start, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing

a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 222 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Nudity and Sexual Displays –  
License Revocation**

FOR the purpose of authorizing the Board of License Commissioners in Garrett County to determine whether to revoke the alcoholic beverages license of a licensee if any of certain activities regarding nudity or sexual displays are found to have occurred on the premises or location for which the license was issued; making a stylistic change; and generally relating to alcoholic beverages licenses in Garrett County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10–405

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 223 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and  
Liquor License**

FOR the purpose of authorizing in Garrett County the holder of a special Class C beer, wine and liquor license to purchase beer and light wine from a wholesale dealer; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7–101(d)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 224 – Delegate Beitzel**



AN ACT concerning

**Garrett County – Hotel Rental Tax Rate**

FOR the purpose of altering the maximum hotel rental tax rate in Garrett County; and generally relating to the hotel rental tax rate in Garrett County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–304(b)(8)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 225 – Delegates Cardin, Barve, Gilchrist, Kramer, Luedtke, and Simmons**

AN ACT concerning

**Election Law – Special Elections – Voting by Mail**

FOR the purpose of authorizing the Governor, a county council, or a board of county commissioners to direct that voting by mail be utilized in certain special elections; specifying the application of certain provisions of law to a special election conducted by mail; requiring a local board of elections to mail a vote-by-mail ballot to each registered voter who is eligible to vote in a special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote-by-mail ballot; requiring a local board to send a vote-by-mail ballot to each eligible voter at least a certain number of days before the day of a special election; requiring that vote-by-mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring a local board to issue a replacement vote-by-mail ballot to a voter under certain circumstances; requiring each local board to establish at least one voting center for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a voting center established by a local board; authorizing a local board to establish a voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote-by-mail ballot by certain methods; authorizing a voter to designate an agent to return a vote-by-mail ballot to a local board; requiring that a vote-by-mail ballot be returned to a local board by

certain deadlines and meet certain requirements to be considered timely and be counted; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections.

BY adding to

Article – Election Law

Section 9–501 through 9–506 to be under the new subtitle “Subtitle 5. Voting by Mail”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 226 – Delegate Cardin**

AN ACT concerning

#### **Election Law – Citizens Who Have Not Lived in the United States – Right to Vote**

FOR the purpose of providing that a citizen who has not lived in the United States but has a parent who is a registered voter in the State is a resident of the State for purposes of voter registration; prohibiting an individual from being considered a resident of the State if the individual has established a domicile outside the State; authorizing an individual to register to vote and vote in the county in the State where a parent resides if the individual meets certain requirements; and generally relating to enfranchising certain citizens who have not lived in the United States.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–102

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 227 – Delegates Hixson, Branch, Cardin, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, Summers, and Walker**

AN ACT concerning

#### **Income Tax Credit for Services Donated to Community Health Organizations**

FOR the purpose of allowing a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health

care services to low-income individuals on a certain basis; allowing certain community health organizations to submit proposals to the Department of Health and Mental Hygiene for allocation of the available credit for approved programs; allowing a community health organization to assign the tax credit allocated to the organization's program to certain health care professionals who donate services to the community health organization's approved program; requiring the Department to certify to the Comptroller the applicability of the credit for each health care professional; limiting the total available credit that may be allocated for each taxable year; requiring the Department to adopt certain regulations; defining certain terms; requiring a certain study to be done and provided to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of this Act; and generally relating to a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health care services to low-income individuals.

BY adding to

Article – Tax – General

Section 10-731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 228 – Delegates Feldman, Ivey, Afzali, Arora, Barnes, Barve, Beitzel, Bobo, Carr, Cullison, Dumais, Dwyer, Eckardt, Elliott, Frank, Frick, Glass, Harrison, Healey, Holmes, Hough, Howard, Hubbard, Hucker, Kach, Kaiser, A. Kelly, Kipke, Krebs, Lee, Luedtke, McComas, McMillan, A. Miller, Myers, Nathan-Pulliam, Norman, Reznik, Rosenberg, Schulz, Summers, Washington, and Wilson**

AN ACT concerning

**Consuming Wine Beverages Not Bought on Premises – Restaurants, Clubs,  
and Hotels**

FOR the purpose of allowing an individual in a certain restaurant, club, or hotel for which a certain alcoholic beverages license is issued the privilege of consuming wine not purchased from or provided by the license holder; requiring, for an individual to exercise the privilege, that the wine be consumed with a meal and the individual receive the approval of the license holder; authorizing a license holder to determine and charge an individual a fee for the privilege; applying the sales tax to the fee; requiring, with a certain exception, the license holder to dispose of wine after the meal is finished; allowing an individual to remove from the licensed premises a bottle, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an

“open container” for a certain purpose; and generally relating to the consumption of wine.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 229 – Delegates Lafferty, Barnes, Beidle, Bromwell, Frush, Hogan, Niemann, Olszewski, Tarrant, Vaughn, Washington, and Weir**

AN ACT concerning

### **Maryland Plastic Bag Recycling Act**

FOR the purpose of authorizing certain fees to be deposited in the State Recycling Trust Fund; prohibiting a plastic carryout bag manufacturer from providing, selling, or offering for sale a plastic carryout bag for use or distribution in the State unless certain language is printed or displayed on the bag and the manufacturer has registered with the Department of the Environment in a certain manner; authorizing a plastic carryout bag manufacturer to fulfill certain requirements of this Act in a certain manner; requiring a plastic carryout bag manufacturer to register with the Department in a certain manner and on or before a certain date; establishing a plastic carryout bag manufacturer registration fee; requiring a plastic carryout bag manufacturer to develop and implement a certain plan in accordance with certain requirements; providing that each plastic carryout bag manufacturer is responsible for all costs associated with the development and implementation of its plan; requiring the Department to deposit certain fees in the State Recycling Trust Fund; requiring the Department, within a certain time period, to post on its Web site a certain plan and notice of a certain comment period; requiring the Department to review a certain plan; authorizing the Department to comment on a certain

plan; requiring a plastic carryout bag manufacturer to accept certain comments on a certain plan and to respond, revise, and resubmit the plan under certain circumstances; determining when a certain plan shall be considered final; requiring each plastic carryout bag manufacturer, on or before a certain date, to establish a certain educational program and develop and make available to retailers certain educational materials; beginning on a certain date, requiring each plastic carryout bag manufacturer to establish goals to include a certain percentage of recycled content in plastic carryout bags it manufactures for use or distribution in the State by a certain year; prohibiting a retailer, distributor, or wholesaler, beginning on a certain date, from purchasing plastic carryout bags from certain manufacturers; requiring the Department to maintain and post on its Web site, beginning on a certain date, certain lists; requiring a plastic carryout bag manufacturer to submit a certain annual report to the Department; providing that a county or municipality is not prohibited from adopting certain ordinances, resolutions, regulations, or rules under certain circumstances; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring that certain civil penalties be deposited into a certain fund; requiring the Department to adopt certain regulations; defining certain terms; requiring the Secretary of the Environment to submit a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the recycling of plastic carryout bags.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701 and 9–1707(f)(2)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1707(f)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 9–1733 through 9–1743 to be under the new part “Part V. Plastic Carryout Bag Recycling”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 230 – Delegates K. Kelly, Alston, Anderson, Arora, Aumann, Barve, Beitzel, Boteler, Bromwell, Burns, Carter, Clagett, Clippinger, Cluster, Conaway, Costa, DeBoy, Dumais, Elliott, Frank, George, Gilchrist,**

Glass, Glenn, Haddaway–Ricchio, Hogan, Holmes, Hough, Hubbard, Impallaria, Jacobs, James, Jameson, Kaiser, Kipke, Kramer, Krebs, Lee, Love, Luedtke, McComas, McConkey, McDermott, McDonough, McHale, W. Miller, Minnick, Mitchell, Morhaim, Murphy, Myers, Norman, O'Donnell, Otto, Parrott, Pena–Melnyk, Pendergrass, Ready, Rosenberg, Rudolph, Serafini, Simmons, Smigiel, Sophocleus, Stocksdale, Summers, Valentino–Smith, Waldstreicher, Washington, Weir, and Wood

AN ACT concerning

**Public Safety – Department of State Police – Yellow Dot Program**

FOR the purpose of establishing the Yellow Dot Program in the Department of State Police in order to provide a means to alert emergency responders to health–related information in the event a Program participant is involved in a vehicle emergency and is unable to communicate; providing that a Program participant, by affixing a yellow dot decal to a vehicle, consents to a certain search of the vehicle's glove compartment or glove box by emergency responders under certain circumstances; requiring the Department to design and make available certain materials necessary to implement and administer the Program; requiring the Department to publicize the Program and distribute Program materials in cooperation with the Motor Vehicle Administration; and generally relating to the Yellow Dot Program.

BY adding to

Article – Public Safety

Section 2–901 through 2–903 to be under the new subtitle “Subtitle 9. Yellow Dot Program”

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 231 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Skatepark of Baltimore at Roosevelt Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Skatepark of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 232 – Delegates Tarrant, Branch, Clippinger, Conaway, Haynes, Mitchell, B. Robinson, Stukes, and Washington**

AN ACT concerning

**Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees**

FOR the purpose of repealing, as to Baltimore City, the requirement that an authorized person of a limited liability company who holds an alcoholic beverages license be a registered voter in the City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–101(c)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 233 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – St. Francis Neighborhood Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the St. Francis Neighborhood Center Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 234 – Delegates Ready, Afzali, Aumann, Beitzel, Boteler, Eckardt, Elliott, Frank, George, Glass, Hogan, Hough, Jacobs, Kach, Kipke, Krebs, McDermott, McDonough, Minnick, Norman, Parrott, Schuh, Stocksdale, Vitale, and Wood**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 235 – Delegates Stukes, Anderson, Carter, Conaway, Glenn, Harrison, Haynes, Howard, McConkey, A. Miller, Mitchell, Oaks, B. Robinson, Tarrant, and Walker**

AN ACT concerning

**Criminal Justice Information System – Prohibited Dissemination**

FOR the purpose of prohibiting the dissemination of certain criminal history record information to a certain person if the information relates to a certain charge or conviction, with a certain exception; providing that a certain provision of this Act may not be abrogated by waiver or consent; defining a certain term; and generally relating to the Criminal Justice Information System.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–222 and 10–226  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 10–230  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 236 – Delegates Stukes, Anderson, Carter, Conaway, Glenn, Harrison, Haynes, Howard, McConkey, A. Miller, Oaks, B. Robinson, Tarrant, Valentino–Smith, and Walker**



AN ACT concerning

**Insurance – Maryland Insurance Information Day (MII Day)**

FOR the purpose of authorizing insurance carriers and insurance producers to hold insurance coverage symposiums for certain purposes; authorizing the symposiums to be held in certain locations and to include certain information; authorizing insurance carriers and insurance producers to accept applications for insurance at the symposiums; authorizing the public to be made aware of the symposiums through certain mechanisms; requiring the symposiums to be called by a certain name; stating certain findings of the General Assembly; and generally relating to insurance coverage symposiums.

BY adding to

Article – Insurance  
Section 1–209  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 237 – Delegates Stukes, Anderson, Conaway, Glenn, Harrison, Howard, A. Miller, B. Robinson, and Walker**

AN ACT concerning

**Criminal Procedure – Explanation of Expungement Provisions Relating to Proposed Disposition of Charge**

FOR the purpose of altering a certain provision of law relating to the expungement of criminal records so as to require a court, before disposing of a charge against a defendant, to provide a detailed explanation to the defendant of certain expungement provisions; requiring the court, after providing the explanation required by this Act, to give the defendant the opportunity to reject a certain disposition; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to expungement.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 6–232  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 6–232  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 337 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Judiciary.

**House Bill 238 – Delegates Nathan–Pulliam, Eckardt, Kipke, V. Turner, and Valentino–Smith**

AN ACT concerning

**State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensure and Certification Requirements**

FOR the purpose of requiring certain prosecutions for certain offenses relating to the licensing of nurses and electrologists to be instituted within a certain period of time after which the offense was committed; exempting individuals who provide certain care from the requirement that an individual must be licensed or certified before practicing certain health occupations; exempting individuals who respond to certain disaster situations from the requirement that an individual must be licensed before practicing registered nursing or licensed practical nursing in the State under certain circumstances; requiring certain nurses with multistate licensing privileges to hold a license in a certain home state in accordance with the Nurse Multistate Licensure Compact; establishing certain qualifications for applicants of a certificate to practice registered nursing as a certain advanced practice nurse; prohibiting certain individuals from practicing a certain type of nursing or using a certain title under certain circumstances; repealing a certain provision of law allowing certain applicants to submit evidence of completion of certain criminal history records checks through other state boards of nursing; requiring certain applicants to submit certain evidence and information to the State Board of Nursing as part of an application for licensure; prohibiting certain applicants from being entitled to be examined in the State for a license as a registered nurse or as a licensed practical nurse; altering a certain requirement for certain applicants to participate in a certain preceptorship program; authorizing the Board to issue certain licenses by endorsement; repealing certain requirements for the publication of notice of certain revocations or suspensions; repealing a certain requirement that to qualify as a certain skilled nursing assistant, an applicant must meet certain requirements; prohibiting certain individuals from practicing, attempting to practice, or offering to practice advanced practice nursing or electrology unless licensed by the Board; authorizing the Board to issue certain orders, impose certain fines, or seek certain relief; specifying that certain offenses are separate violations under certain circumstances; requiring the Board to pay certain money to the Comptroller; requiring the Comptroller to distribute certain money to the Board of Nursing Fund; authorizing the Board to refer certain cases to the Central Collection Unit of the Department of

Budget and Fiscal Planning to institute and maintain certain proceedings; authorizing certain actions for injunctive relief to be brought by certain entities for certain purposes under certain circumstances in certain counties; providing that a person who violates certain provisions of law is guilty of a misdemeanor and on conviction is subject to a certain fine; providing for a certain exception to a violation of certain provisions of law; making certain technical corrections; defining certain terms; and generally relating to the licensure, certification, and penalties for violations of the laws and regulations that govern nurses, nursing assistants, medication technicians, and electrologists.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–106(bb)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 8–101, 8–301, 8–302, 8–304, 8–305, 8–307, 8–6A–02, 8–6A–05(b) and  
(c), 8–6A–08(b) and (k)(1), 8–6A–10(e), 8–6B–11, 8–701, and 8–710  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health Occupations  
Section 8–316(d) and 8–6A–10(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 8–708 and 8–709  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 239 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County Board of Education – Membership and Employment**

FOR the purpose of repealing a certain provision of law prohibiting certain individuals in Frederick County from being elected to or serving on the county board of education; repealing a certain provision of law prohibiting certain individuals in

Frederick County from being hired as an administrator or a teacher under certain circumstances; and generally relating to certain individuals who may serve on and may be hired by the Frederick County Board of Education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 3–5B–01(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Education  
Section 3–5B–02  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY renumbering  
Article – Education  
Section 3–5B–03, 3–5B–04, and 3–5B–05, respectively  
to be Section 3–5B–02, 3–5B–03, and 3–5B–04, respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

#### **House Bill 240 – Delegate Clagett**

AN ACT concerning

#### **Creation of a State Debt – Frederick County – Goodwill Industries of Monocacy Valley**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Goodwill Industries of Monocacy Valley, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

#### **House Bill 241 – Delegate Clagett**

AN ACT concerning

#### **Frederick County – Hotel Rental Tax – Rate and Distribution of Revenue**

FOR the purpose of altering the rate of the hotel rental tax imposed in Frederick County; altering the distribution of certain hotel rental tax revenue in Frederick County; stating a certain intent of the General Assembly; and generally relating to the Frederick County hotel rental tax.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–304 and 9–318(b)(5)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 242 – Delegate Clagett**

AN ACT concerning

#### **Creation of a State Debt – Frederick County – Mental Health Association Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Mental Health Association of Frederick County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 243 – Delegates Nathan–Pulliam, Braveboy, Burns, Conway, Donoghue, Eckardt, Frush, Howard, Hubbard, Jones, A. Kelly, Kipke, Morhaim, Murphy, Pena–Melnyk, Tarrant, and V. Turner**

AN ACT concerning

#### **Kathleen A. Mathias Chemotherapy Parity Act of 2012**

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for cancer chemotherapy under certain policies or contracts from imposing certain limits or cost sharing on coverage for orally administered cancer chemotherapy that are less favorable to an insured or enrollee than the limits or cost sharing on coverage for cancer chemotherapy that is administered intravenously or by injection; prohibiting the insurers, nonprofit health service plans, and health maintenance

organizations from reclassifying cancer chemotherapy or increasing certain out-of-pocket expenses to achieve certain compliance; prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from increasing an out-of-pocket expense applied to cancer chemotherapy under a health insurance policy or contract or a health maintenance organization contract unless the increase also is applied to certain benefits under the policy or contract; making certain provisions of this Act applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance coverage for cancer chemotherapy.

BY adding to

Article – Insurance  
Section 15–846  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Health – General  
Section 19–706(l)lll  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 244 – Delegates Nathan–Pulliam, Braveboy, Burns, Frush, Jones, A. Kelly, Oaks, Pena–Melnyk, Tarrant, and V. Turner**

AN ACT concerning

**State Government – Commemorative Days – Maryland Centenarians Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Centenarians Day; and generally relating to commemorative days.

BY adding to

Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 245 – Charles County Delegation**

AN ACT concerning

**Charles County – School Buses – Length of Operation**

FOR the purpose of altering the length of time a school bus may be operated in Charles County; and generally relating to school bus operation in Charles County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 246 – Delegates Clippinger, Hammen, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – National Aquarium Infrastructure**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$4,000,000, the proceeds to be used as a grant to the Board of Directors of the National Aquarium in Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 247 – Delegates Myers, Afzali, Barkley, Bates, Beitzel, Cluster, Feldman, George, Glass, Haddaway–Riccio, Impallaria, Jacobs, K. Kelly, Love, W. Miller, Minnick, Norman, Olszewski, Otto, Parrott, Schuh, Schulz, Serafini, Stifler, Vaughn, Vitale, and Wood**

AN ACT concerning

**State Plumbing Code – Adoption of International Code Council Standards**

FOR the purpose of authorizing the State Board of Plumbing to adopt standards of the International Code Council as part of the State Plumbing Code; requiring the Board to periodically review certain standards of the International Code Council; requiring the Board to amend the State Plumbing Code to incorporate certain standards of the International Code Council for a water conserving appliance, device, fitting, or fixture under certain circumstances; authorizing

the Board to allow the installation of a water conserving appliance, device, fitting, or fixture that meets certain standards of the International Code Council under certain circumstances; and generally relating to incorporating International Code Council standards into the State Plumbing Code.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–205  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 248 – Harford County Delegation and Delegates Glass, James, McComas, McDonough, and Norman**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Class C–3 Club License**

FOR the purpose of removing the requirement in Harford County for a country club to maintain a certain number of tennis courts to be eligible for a Class C–3 club alcoholic beverages license; and generally relating to eligibility for a Class C–3 club alcoholic beverages license in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(n)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 249 – The Speaker (By Request – Judicial Compensation Commission)**

AN ACT concerning

**Judges’ Retirement System – Contribution Rates for New Members**

FOR the purpose of altering the rate of member contributions for individuals who become members of the Judges’ Retirement System on or after a certain date; and generally relating to the Judges’ Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 27–202



Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 250 – Delegates Oaks, Carter, and Rosenberg**

AN ACT concerning

**Elections – Baltimore City – Election Dates**

FOR the purpose of altering the dates of certain elections for municipal offices in Baltimore City; specifying the terms of municipal officers in Baltimore City who were elected in a certain year; and generally relating to elections in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–201 and 8–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 251 – Delegates McDermott and Conway**

AN ACT concerning

**Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants**

FOR the purpose of authorizing the Ocean City Police Department to request State and national criminal history records checks for taxi driver applicants in Ocean City from the Criminal Justice Information System Central Repository; requiring the Police Department to submit sets of fingerprints of taxi driver applicants and pay certain fees to the Central Repository as part of the application for a records check; requiring the Central Repository to forward certain information to certain persons; specifying that certain information be confidential, not be disseminated, and be used only for a certain purpose; authorizing the subject of a criminal history records check to contest the contents of a certain statement in a certain manner; and generally relating to criminal history records checks for taxi driver applicants in Ocean City.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–231  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure

Section 10–234.1 to be under the amended part “Part IV. Criminal History

Records Check Requests – Counties and Municipalities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 252 – Delegates Burns, Valentino–Smith, Aumann, Boteler, Minnick, and Weir**

AN ACT concerning

**Task Force on Military Service Members, Veterans, and the Courts**

FOR the purpose of creating a Task Force on Military Service Members, Veterans, and the Courts; providing for the composition, chair, and staffing of the Task Force; providing that a member of the Task Force may not receive compensation but may be reimbursed for certain expenses; requiring the Task Force to study the military service–related mental health issues and substance abuse problems that may apply or arise in certain court cases and to consider recommending the establishment of a special court for eligible defendants who are veterans or members of the armed services on active duty who appear to suffer from certain problems related to military service; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor, Chief Judge of the Court of Appeals, and the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Military Service Members, Veterans, and the Courts.

Read the first time and referred to the Committee on Judiciary.

**House Bill 253 – Delegates Smigiel, Afzali, Boteler, Cluster, Elliott, Glass, Haddaway–Riccio, Hershey, Hough, Jacobs, Krebs, McComas, McDermott, Parrott, Ready, Schulz, Vitale, Aumann, Bates, Costa, Eckardt, Fisher, Frank, George, Hogan, Kipke, McConkey, McDonough, W. Miller, Myers, Norman, O’Donnell, Otto, Serafini, Stifler, and Szeliga**

AN ACT concerning

**Department of Planning – Local and Regional Planning and Land Use Powers – Prohibition on Restriction**

FOR the purpose of prohibiting the Department of Planning from adopting regulations or taking certain actions that restrict the planning and land use powers of certain local governments or regional planning agencies; and generally relating to the authority of the Department of Planning regarding the restriction of planning and land use powers of local governments and regional planning agencies.

BY adding to

Article – State Finance and Procurement

Section 5–312

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 254 – Cecil County Delegation**

AN ACT concerning

#### **Cecil County – Alcoholic Beverages – Class BLX Licenses**

FOR the purpose of lowering the minimum capital investment for dining room facilities and kitchen equipment required for a restaurant to qualify for a Class BLX on-sale license in Cecil County; and generally relating to alcoholic beverages licenses in Cecil County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(i)(1)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(i)(3)(ii)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 255 – Delegates Luedtke, Kaiser, Zucker, Barve, A. Miller, Reznik, and Waldstreicher**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Muslim Community Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors and the Board of Trustees of the Muslim Community Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of loan proceeds or matching funds for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 256 – Delegates Smigiel, Afzali, Anderson, Aumann, Bates, Beidle, Boteler, Bromwell, Carter, Cluster, Costa, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Hershey, Hough, Jacobs, Kach, K. Kelly, Kipke, McComas, McConkey, McDermott, McDonough, W. Miller, Murphy, Myers, Norman, O’Donnell, Otto, Ready, Serafini, Stifler, Szeliga, and Vitale**

AN ACT concerning

**Regulated Firearms – License Issued by Delaware, Pennsylvania, Virginia, or West Virginia – Reciprocity**

FOR the purpose of specifying that a license issued by Delaware, Pennsylvania, Virginia, or West Virginia to an individual to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(p)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 5–117.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 4 – The Speaker (By Request – Judicial Compensation Commission)**

A House Joint Resolution concerning

**Judicial Compensation Commission – Recommendations**

FOR the purpose of establishing the compensation of the members of the Judiciary in this State in accordance with Section 1–708 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

Read the first time and referred to the Committee on Appropriations.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 27)

**ADJOURNMENT**

At 10:33 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 27, 2012.

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**Annapolis, Maryland**  
**Friday, January 27, 2012**

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The House met at 11:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Justin D. Ready of Carroll County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 28)

The Journal of January 26, 2012 was read and approved.

**EXCUSES:**

Del. Donoghue – doctor’s appointment

Del. Hogan – personal – birth of baby

Del. McMillan – business

Del. Stocksedale – medical

Del. F. Turner – illness

Del. Valderrama – business – out of state

**INTRODUCTION OF BILLS**

**House Bill 257 – Delegates McDermott, Alston, Arora, Clippinger, Cluster, Conaway, Hough, Jacobs, K. Kelly, McComas, Mitchell, Parrott, and Smigiel**

AN ACT concerning

**Computers – Video Lottery Terminals – Tampering**

FOR the purpose of altering a certain definition to clarify that the criminal law related to the unauthorized access to computers and related devices and systems applies to video lottery terminals and associated equipment owned by the State Lottery Commission; and generally relating to the unauthorized access to video lottery terminals and associated equipment owned by the State Lottery Commission.

BY repealing and reenacting, without amendments,  
Article – Criminal Law

Section 7-302(a)(1) and (4)(i), (c), and (d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 7-302(a)(4)(ii)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 258 – Delegate Haddaway-Riccio**

AN ACT concerning

**Renewable Energy Portfolio Standard – Sale or Transfer of Solar Renewable Energy Credits – Elimination of Minimum Required Term**

FOR the purpose of eliminating the minimum required term for certain contracts involving the sale or transfer of solar renewable energy credits; and generally relating to solar renewable energy credits.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7-709(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7-709(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 259 – Delegates Haddaway-Riccio, Donoghue, Eckardt, McDermott, Myers, and Serafini**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Municipal Electric Utility – Exemption**

FOR the purpose of providing that a certain provision of law relating to the use of certain proceeds received by the Maryland Strategic Energy Investment Fund

and credited to a certain account does not apply to residential customers of a municipal electric utility; and generally relating to the Maryland Strategic Energy Investment Fund and municipal electric utilities.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–20B–05(a), (b), (g), and (g–1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–20B–05(g–2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 260 – Delegates Boteler, Aumann, Cluster, DeBoy, Dwyer, Fisher, Frank, George, Glass, Impallaria, Kach, Krebs, McDonough, A. Miller, Minnick, Mitchell, Norman, Olszewski, Schulz, Stein, Stukes, Szeliga, V. Turner, Weir, and Wood**

AN ACT concerning

**State Lottery Agency – Veterans Lottery – Established**

FOR the purpose of requiring the State Lottery Agency to conduct a certain annual lottery for the benefit of the Maryland Veterans Trust Fund; requiring the Agency to deposit into the Fund a percentage of the proceeds, after certain expenses of the veterans lottery; requiring the Agency to meet certain advertising criteria in conducting the veterans lottery; and generally relating to lotteries conducted by the State Lottery Agency.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–120 and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 9–120.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.



**House Bill 261 – Delegates Vallario, McDermott, Anderson, Dumais, Glenn, K. Kelly, Simmons, Smigiel, Valentino–Smith, and Wilson**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Office of the Public Defender – Representation**

FOR the purpose of repealing the requirement that the Office of the Public Defender provide representation to a certain indigent individual in all stages of a certain proceeding; altering the specific events in which the Office of the Public Defender is required to represent indigent individuals in criminal proceedings; providing that a certain provision of law may not be construed to require representation by the Office of the Public Defender at a certain initial appearance; making this Act an emergency measure; and generally relating to representation by the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–204  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 262 – Delegates Beidle, Carr, Glenn, Healey, Lafferty, S. Robinson, and Wilson**

AN ACT concerning

**Condominiums and Homeowners Associations – Sales Contracts – Notice of Potential Special Assessments**

FOR the purpose of providing that a contract for the resale of a unit in a condominium by a unit owner other than a developer is not enforceable unless the contract of sale contains a certain notice and the unit owner furnishes to the purchaser certain information concerning potential special assessments under certain circumstances; providing that a contract for the resale of a lot in a development, or for the initial sale of a lot in a certain development, is not enforceable by the vendor unless the purchaser is given a certain notice concerning potential special assessments under certain circumstances; providing for the application of this Act; and generally relating to notice of potential special assessments in the sale of condominiums and homeowners associations.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 11–135 and 11B–106  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 263 – Delegates B. Robinson, Carter, Conaway, Oaks, and Tarrant**

AN ACT concerning

**Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages –  
Store Closing Hours**

FOR the purpose of altering the time at which establishments issued certain Class A alcoholic beverages licenses in the Park Heights Redevelopment Area in Baltimore City must stop selling alcoholic beverages; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–302(a)(1) and 11–303(a)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–302(a)(2) and 11–303(a)(2)(ii)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 264 – Chair, Judiciary Committee (By Request – Departmental –  
Human Resources)**

AN ACT concerning

**State Council on Child Abuse and Neglect – Transfer to Department of  
Human Resources**

FOR the purpose of transferring the State Council on Child Abuse and Neglect from the Office for Children, Youth, and Families to the Department of Human Resources; repealing a provision relating to the term of a member of the Governor’s Council on Child Abuse and Neglect on a certain date; repealing certain committees of the State Council; transferring the authority to impose a certain civil penalty for a certain violation from the Special Secretary of

Children, Youth, and Families to the Secretary of Human Resources; and generally relating to the State Council on Child Abuse and Neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–7A–01, 5–7A–02, 5–7A–05, and 5–7A–07  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 265 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Task Force to Study Implementing a Civil Right to Counsel in Maryland**

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

Read the first time and referred to the Committee on Judiciary.

**House Bill 266 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Division of Parole and Probation – Interstate Compact for Adult Offender Supervision – Application Fee**

FOR the purpose of establishing a certain application fee for offenders who apply through the Division of Parole and Probation for transfer of probation, parole, or mandatory release supervision to another state in accordance with the Interstate Compact for Adult Offender Supervision; requiring the application fee to be paid to the Division at a certain time; establishing that the application fee is nonrefundable; requiring the Division to pay application fees collected into a certain fund; establishing certain circumstances under which the Division of Parole and Probation may exempt a supervisee from payment of the application fee; establishing the Interstate Compact for Adult Offender Supervision Fund as

a special, nonlapsing fund; specifying that the Fund may be used only to pay costs incurred for the return of supervisees to Maryland as required under the terms of the Compact and its rules; requiring the Division of Parole and Probation to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; establishing that the Fund is subject to a certain audit; and generally relating to the transfer of supervision under the terms of the Interstate Compact for Adult Offender Supervision.

BY adding to

Article – Correctional Services

Section 6–216 and 6–217

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 267 – Delegates Jones, Burns, and Nathan–Pulliam**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Baltimore County –  
Liberty Road Corridor**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the location of the project; altering the matching fund requirement of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA00(S)

Read the first time and referred to the Committee on Appropriations.

**House Bill 268 – Chair, Environmental Matters Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Vehicle Dealers**

FOR the purpose of decreasing the minimum number of vehicles a person must offer to sell during a 12–month period in order for the person to be considered a “dealer” for purposes of the Maryland Vehicle Law; repealing a certain requirement that a licensed dealer apply for at least a certain number of temporary registration

plates in order to qualify for certain temporary registration plates; requiring a licensed dealer to pay a certain annual fee for each business location; and generally relating to vehicle dealers.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–111, 13–601, and 15–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 269 – Chair, Environmental Matters Committee (By Request –  
Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Boating – Disclosure of Personal Information**

FOR the purpose of narrowing the prohibition against and exception for the disclosure of certain records held by the Department of Natural Resources by applying the prohibition and exception only to personal information about the owner of a registered vessel; clarifying the application of certain exceptions to the prohibition under certain circumstances against the Department disclosing certain personal information about an owner of a registered vessel; and generally relating to disclosure of records held by the Department of Natural Resources.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–704.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(s)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 270 – Delegates Cluster and DeBoy**

AN ACT concerning

**Vehicle Laws – Enforcement – Police Officers**

FOR the purpose of altering the defined term “police officer”, as it applies to the enforcement of motor vehicle equipment requirements, the issuance of safety equipment repair orders, the implementation of the Diesel Vehicle Emissions Control Program, the enforcement of vehicle size and weight limits, and motor carrier safety inspections, to include a police officer who prominently displays the police officer’s badge or other insignia of office; making a technical correction; and generally relating to the enforcement of motor vehicle laws by police officers.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–101(a), 23–101(a), 23–105(a), 23–401(a), 23–403(b), 24–111(a)(1) and  
(b), 24–111.1(a), and 25–111(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–106, 23–101(g), 23–401(f), 24–111(a)(4), and 25–111(a)(4) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 271 – Chair, Environmental Matters Committee (By Request –  
Departmental – Housing and Community Development)**

AN ACT concerning

**Housing and Community Development – Disaster Relief Housing Program**

FOR the purpose of clarifying the purposes of the Disaster Relief Housing Program in the Department of Housing and Community Development; authorizing the Department to continue to provide certain financial assistance after the expiration of a state of emergency; and generally relating to financial housing assistance during a disaster.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–1902  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 272 – Delegate Niemann**

AN ACT concerning

**Criminal Law – Mail Theft – Penalty**

FOR the purpose of prohibiting a person from knowingly and willfully removing, taking, possessing, obtaining, or receiving mail under certain circumstances without the permission of the United States Postal Service or the intended recipient; providing penalties for a violation of this Act; repealing a certain prohibition against opening a letter without permission that is rendered inconsistent with this Act; providing that a person who violates this Act is subject to a certain statute of limitations and may reserve a point or question for a certain in banc review; providing that a prosecution under this Act does not preclude a certain prosecution for theft; requiring a conviction for a violation of this Act to merge for sentencing purposes into a certain conviction for theft under certain circumstances; defining certain terms; and generally relating to the theft of mail.

BY repealing

Article – Criminal Law

Section 3–905

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 7–106.1

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 273 – Delegates Rosenberg and Lafferty**

AN ACT concerning

**General Assembly – Disclosure of Financial Interests**

FOR the purpose of requiring a member of the General Assembly who is required under the Maryland Public Ethics Law to publicly disclose certain information to disclose the same information to a governmental entity in the State if the legislator engages in certain business–related communication with an official or employee of the governmental entity; specifying the manner of disclosure to the governmental entity; and generally relating to disclosure of possible conflicts of interest by members of the General Assembly.

BY repealing and reenacting, without amendments,

Article – State Government  
Section 15–513(b)(1) and 15–607(a), (f), (i), and (k)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 15–513(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 15–513(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 274 – Delegates Hubbard, Barnes, Frush, Holmes, Pena–Melnyk,  
and Valentino–Smith**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Dinosaur Park  
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 275 – Delegates Weir, Aumann, Boteler, Cluster, Jacobs, Minnick,  
and Olszewski**

AN ACT concerning

**Income Tax – Subtraction Modification – Qualified Maryland Toll Expenses**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain amounts paid in a certain manner by individuals for certain toll expenses; defining certain terms; providing for the application of this Act; and



generally relating to a Maryland income tax subtraction modification for certain amounts paid in a certain manner for certain tolls.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 276 – Delegate Hubbard**

AN ACT concerning

#### **Health Occupations – Psychologists – Penalties for Misrepresentation and Practicing Without a License**

FOR the purpose of altering certain penalties for a violation of certain provisions of law governing the practice of psychology; authorizing the State Board of Examiners of Psychologists to assess a civil fine of not more than a certain amount against a person who violates certain provisions of law prohibiting the practice, attempt to practice, or offer to practice psychology without a license; requiring the Board to pay certain penalties into a certain fund; and generally relating to the practice of psychology in the State.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 18–401 and 18–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 18–404  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 277 – Delegates Walker and Vaughn**

AN ACT concerning

**State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application**

FOR the purpose of making certain additional State units that are responsible for the management of certain funds subject to the requirements under current law that are already applicable to certain units concerning the use of certain minority business enterprise brokerage and investment services firms; specifying that a certain annual report that must be submitted to the Governor and the General Assembly by all of the units that are subject to the minority business enterprise brokerage and investment services firm requirements include diversity information concerning brokerage and investment management services firms in all allocated asset classes; and generally relating to the use of minority business enterprise brokerage and investment management services firms for certain purposes by certain State units.

BY repealing and reenacting, without amendments,  
Article 95 – Treasurer  
Section 22G(a), (b), (h), and (j)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 14–102  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Economic Development  
Section 14–103  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 14–103  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 11–1001 and the new subtitle “Subtitle 11. Use of Minority Business Enterprises for Brokerage and Investment Management Services”

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Housing and Community Development  
Section 4–501.1  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–303  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–122  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–222  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding  
Article – State Finance and Procurement  
Section 14–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–116  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 35–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 278 – Delegates Reznik, Burns, Carr, Clippinger, DeBoy, A. Kelly, Luedtke, McDonough, and Waldstreicher**

AN ACT concerning

**Criminal Law – Dangerous Dogs and At-Risk Owners**

FOR the purpose of authorizing an appropriate unit of a county or municipal corporation to determine that a person is an at-risk owner under certain circumstances; authorizing the unit to require an at-risk owner to register with the unit and pay a registration fee set by the unit; requiring an at-risk owner to provide a letter containing certain information to the Department of Health and Mental Hygiene and complete a responsible pet ownership course before acquiring a dog; requiring an at-risk owner to provide a letter containing certain information to the Department within a certain period of time after acquiring a dog; providing that a determination that a person is an at-risk owner expires after a certain period of time under certain circumstances; establishing a civil penalty for a violation of this Act; defining certain terms; and generally relating to dangerous dogs and at-risk owners.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 10-619  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 10-619.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 279 – Delegate Barkley**

AN ACT concerning

**Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation**

FOR the purpose of increasing the maximum amounts payable from the Maryland Automobile Insurance Fund for certain claims on account of injury to or death of one individual and of more than one individual arising from a motor vehicle accident; and generally relating to claims against the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–602  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 280 – Delegate Feldman**

AN ACT concerning

**Electric Service Quality and Reliability Standards – Deadlines**

FOR the purpose of altering the dates by which the Public Service Commission is required to determine whether certain electric companies have met certain service quality and reliability standards under certain circumstances; altering the date by which certain electric companies are required to submit to the Commission a certain annual performance report; and generally relating to electric service quality and reliability standards.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–213(f)(1) and (g)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 281 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Real Property – Exception for Prerequisites to Recording**

FOR the purpose of providing that a certain provision of law regarding the transfer of property on the assessment books or records does not apply in St. Mary’s County for a certain deed transferring property to the county when the controller or treasurer of the county has made a certain certification; and generally relating to the recordation of transfer of property in St. Mary’s County.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 3–104(b)  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–104(c)(3)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 282 – Delegates McConkey, Fisher, Frank, Glass, Holmes, Jacobs, Kipke, McComas, McMillan, Norman, Otto, Schulz, Smigiel, Vitale, and Weir**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Warnings**

FOR the purpose of requiring certain agencies to mail warning notices instead of citations for certain violations recorded by a speed monitoring system for a certain period of time after the speed monitoring system is first used; and generally relating to speed monitoring systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–809(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(d)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 283 – Chair, Health and Government Operations Committee**

AN ACT concerning

**State Board of Pharmacy – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Pharmacy in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; altering the dates on which a pharmacy

permit and a wholesale distributor permit expires; altering the date by which the Board must send certain renewal information to certain permit holders; repealing certain provisions requiring certain physician–pharmacist agreements to be approved by the State Board of Physicians and the State Board of Pharmacy; repealing certain provisions that prohibit the State Board of Physicians and the State Board of Pharmacy from approving certain physician–pharmacist agreements under certain circumstances; repealing certain provisions relating to the time period during which a physician–pharmacist agreement is valid; requiring a certain physician and a certain pharmacist to submit a copy of a certain agreement to a certain board; requiring a therapy management contract to apply only to conditions for which protocols have been agreed to by certain parties; repealing a certain provision requiring the establishment of certain fees in regulations; repealing a requirement that certain regulations include provisions that establish a certain procedure; prohibiting certain regulations from requiring certain boards to approve certain physician–pharmacist agreements or the protocols specified in the agreements; requiring that an evaluation of the State Board of Pharmacy and the statutes and regulations that relate to the Board be performed on or before a certain date; providing for an extension of the renewal dates of certain permits; requiring the State Board of Pharmacy to submit certain reports to certain committees of the General Assembly on or before certain dates; altering a certain definition; making a conforming change; and generally relating to the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–407(a) and (b)(1), 12–6A–01(f), 12–6A–03, 12–6A–07, 12–6A–10,  
12–6C–06(a), and 12–802

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–6A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(45)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 284 – Chair, Ways and Means Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Children in Out-of-County Living Arrangements – Payments for Children with Disabilities**

FOR the purpose of altering a certain provision relating to funding the education of certain disabled children placed in out-of-county living arrangements; defining certain terms; and generally relating to education funding for disabled children in out-of-county living arrangements.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4-122(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 285 – Delegates Davis, Griffith, and Braveboy**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Sportsplex**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the School Board of the Riverdale Baptist School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 286 – Delegates Hubbard, Anderson, Costa, Cullison, Frank, Hammen, A. Kelly, Kipke, Morhaim, Murphy, Nathan-Pulliam, Pendergrass, Ready, Reznik, Rosenberg, and V. Turner**



AN ACT concerning

**Managed Care Organizations – Medical Loss Ratio Information – Publication**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to publish in a certain manner certain medical loss ratio information provided by certain managed care organizations and certain financial information on the Web site of the Department of Health and Mental Hygiene; and generally relating to managed care organizations and the publication of medical loss ratio information.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–605(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 287 – Delegates Hubbard, Frush, Hixson, Ivey, A. Kelly, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Rosenberg, Summers, and V. Turner**

AN ACT concerning

**Civil Rights – Discrimination by a Place of Public Accommodation – Enforcement and Remedies**

FOR the purpose of authorizing certain persons or the Commission on Civil Rights to elect to have the claims asserted in a certain complaint alleging discrimination by a place of public accommodation determined in a civil action brought by the Commission under certain circumstances; requiring a civil action brought by the Commission to be filed within a certain time period after an election; requiring the remedy for discrimination by a place of public accommodation to include the greater of certain damages; authorizing the remedy for discrimination by a place of public accommodation to include certain remedies; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of transportation services; repealing a prohibition against issuing an order in certain cases that would require costs, level, or type of transportation services different from or exceeding those required by certain federal regulations; authorizing a complainant alleging discrimination by a place of public accommodation to bring a civil action under certain circumstances; providing for the venue of and remedies in a certain civil action; defining a certain term; making certain conforming changes; and generally relating to enforcement and remedies for certain discriminatory acts.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–1001, 20–1006(b), 20–1007(a) and (b), 20–1009, 20–1012(a) and (b),  
and 20–1013

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 288 – Delegate Hubbard**

AN ACT concerning

#### **Baby Boomer Initiative Council**

FOR the purpose of reestablishing the Baby Boomer Initiative Council; providing for the membership of the Council; requiring the Governor to appoint the chair of the Council; establishing the duties of the Council; requiring the Council to make certain recommendations; requiring the Council to provide certain reports to the Governor and General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Baby Boomer Initiative Council.

BY adding to

Article – Health – General

Section 24–1501 through 24–1505 to be under the new subtitle “Subtitle 15.  
Baby Boomer Initiative Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 289 – Delegate Feldman**

AN ACT concerning

#### **Economic Development – Maryland Stem Cell Research Act – Revisions**

FOR the purpose of altering the name of the Stem Cell Research Commission to be the Stem Cell and Biotechnologies Commercialization Commission; requiring the Commission to establish certain procedures and guidelines regarding research supporting a qualified technology; repealing the requirement that the Commission ensure that certain procedures and guidelines are based on certain guidelines; altering the name of the Maryland Stem Cell Research Fund to be

the Maryland Stem Cell and Biotechnologies Commercialization Fund; altering the purpose of the Fund; altering the approved uses of money in the Fund; requiring that a certain percentage of awards per year be made to certain for-profit companies; requiring that priority be given to certain applicants when awarding funds to applicants in the nonprofit sector; altering the membership of the Commission; altering the composition of the membership of the peer review committee; requiring the peer review committee to consider certain factors when reviewing a proposal; repealing the provision of law prohibiting a member of the peer review committee from residing in the State; altering the requirements for a certain report; altering the definition of certain terms; defining a certain term; and generally relating to the Maryland Stem Cell Research Act.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–429, 10–431, 10–432, 10–434 through 10–436, and 10–442  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 10–430 and 10–437 through 10–441  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

**House Bill 290 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Labor and Industry – Enforcement of Orders – Central Collection Unit**

FOR the purpose of authorizing the Commissioner of Labor and Industry to authorize the Central Collection Unit to proceed in the District Court to enforce payment of certain orders under certain circumstances; specifying that this Act does not affect a certain provision of law; and generally relating to the enforcement of orders issued by the Commissioner of Labor and Industry.

BY adding to  
Article – Labor and Employment  
Section 2–107.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 291 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Labor and Employment – Employment of Minors – Work Permits**

FOR the purpose of altering the circumstances under which the Commissioner of Labor and Industry is required to issue a certain work permit; repealing a certain provision of law authorizing a county superintendent of schools or a superintendent's designee to issue a work permit; requiring an employer to apply online to obtain a certain work permit and to make certain certifications; repealing a certain provision of law requiring a certain official to issue a certain work permit under certain circumstances; authorizing the Commissioner or the Commissioner's authorized representative to issue under certain circumstances a work permit that authorizes a minor to be employed in certain occupations; requiring an employer to retain certain records for a certain time after a minor leaves the employer's employment; authorizing the Commissioner to assess a certain civil penalty if the Commissioner determines an employer employed a minor in violation of certain provisions of law; requiring the Commissioner to consider certain factors in determining the amount of a certain civil penalty; authorizing the Commissioner to assess a certain penalty if the Commissioner determines an employer willfully or repeatedly violated certain provisions of law; requiring the Commissioner to provide an employer with a certain notice; authorizing an employer to request a certain hearing within a certain time period; specifying that a certain determination and penalty shall be final under certain circumstances; requiring the Office of Administrative Hearings to conduct a certain hearing and issue a certain decision under certain circumstances; authorizing the Commissioner to order an employer to request a certain review under certain circumstances; specifying that a certain proposed decision is final under certain circumstances; requiring the Commissioner to issue a certain final order under certain circumstances; requiring civil penalties collected under this Act to be paid into the General Fund of the State; and generally relating to the employment of minors.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–206

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment

Section 3–214.1 and 3–217

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 292 – Delegates Glenn, Anderson, Beidle, Conaway, Gilchrist, Hammen, McHale, McMillan, Mitchell, Niemann, Otto, B. Robinson, S. Robinson, Stein, Stukes, Tarrant, Vitale, Washington, and Wilson**

AN ACT concerning

**Vehicle Laws – Provisional Driver’s Licenses – Driver Education Requirements**

FOR the purpose of reducing the period of time that certain individuals at least a certain age who hold a learner’s instructional permit are required to wait before taking certain examinations for a provisional driver’s license; establishing that certain driving practice requirements and a requirement to complete a certain driver skills log book before taking certain examinations for a provisional driver’s license do not apply to an individual at least a certain age; and generally relating to driver education requirements for obtaining a provisional driver’s license.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–105(d) and 16–111(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 293 – Chair, Economic Matters Committee (By Request – Departmental – Uninsured Employers’ Fund)**

AN ACT concerning

**Worker’s Compensation – Uninsured Employers’ Fund**

FOR the purpose of requiring the Uninsured Employers’ Fund Board to review the administration of the Uninsured Employers’ Fund by the Director of the Fund; specifying that the Director shall have immediate supervision and direction over the administration of the Fund; authorizing the Director to employ staff in accordance with the State budget; establishing the Director as the appointing authority for all staff of the Fund; authorizing an employee to appeal a disciplinary action taken by the Director to the Board; making conforming and technical changes; and generally relating to the Uninsured Employers’ Fund.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–309 through 10–311, 10–314, and 10–316  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 294 – Delegates Vitale, Dumais, Eckardt, Kipke, Lafferty,  
McDermott, Schulz, and Smigiel**

AN ACT concerning

### **Child Support – Child Care Expenses**

FOR the purpose of requiring that certain child care expenses incurred on behalf of a child due to the full–time attendance by either parent at a certain educational institution be added to the basic child support obligation and divided by the parents in proportion to their adjusted actual incomes under the child support guidelines; and generally relating to child support obligations.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–204(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 295 – Delegates Vitale, Afzali, Dwyer, Eckardt, George, Kipke,  
McDermott, Norman, Schuh, Schulz, and Smigiel**

### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

### **Legislative and Congressional Districting Process**

FOR the purpose of proposing an amendment to the Maryland Constitution to require the Governor to present a certain legislative districting plan to the public a certain number of days before the first day of the session in which the General Assembly is to consider the plan, to receive comments from the public concerning the legislative districting plan, and to allow an additional period for public comment if the legislative districting plan is revised; submitting an amendment to the qualified voters of the State for their adoption or rejection; requiring the Governor to present a certain congressional districting plan to the public a certain number of days before the first day of the session in which the

General Assembly is to consider the plan, to receive comments from the public concerning the congressional districting plan, and to allow an additional period for public comment if the congressional districting plan is revised; requiring the Governor to post certain districting plans on the State's Web site at a certain time; making certain provisions of this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the process for establishing General Assembly legislative districts and United States congressional districts.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 5

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–701  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 1 of the General Assembly of the 2011 Special Session)

BY adding to  
Article – State Government  
Section 2–2A–02  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 296 – Delegates S. Robinson, Arora, Conaway, Hucker, A. Kelly, Luedtke, and Washington**

AN ACT concerning

**Environment – Hydraulic Fracturing Wastewater – Prohibited Acts**

FOR the purpose of prohibiting a person from shipping or transporting into the State, or storing, treating, discharging, or disposing of in the State, certain wastewater resulting from certain hydraulic fracturing activities occurring in another state; and generally relating to wastewater from hydraulic fracturing.

BY adding to  
Article – Environment  
Section 9–293 to be under the new part “Part IX. Hydraulic Fracturing Wastewater”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 297 – Delegates Weir, Aumann, Boteler, Cluster, Frank, Minnick,  
and Olszewski**

AN ACT concerning

**Motor Vehicle Registration Fees – Exemptions – Gold Star Wives of America,  
Inc.**

FOR the purpose of exempting certain members of the Gold Star Wives of America, Inc. from motor vehicle registration fees; and generally relating to exemptions from motor vehicle registration fees.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–903(a)(9) and (10)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 13–903(a)(11)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 298 – Delegate Carr**

AN ACT concerning

**Procurement – State Funds – Energy Efficient Outdoor Lighting Fixtures**

FOR the purpose of expanding the prohibition on the use of State funds to install or replace certain permanent outdoor luminaires to include all permanent outdoor luminaires unless the luminaire meets certain requirements; repealing a certain definition; and generally relating to the use of State funds for energy efficient outdoor lighting fixtures.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–412  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 299 – Delegates Kipke, Aumann, Burns, DeBoy, Hubbard, Kaiser, McDonough, Reznik, and Valentino–Smith**

AN ACT concerning

**Amusement Parks – Safety Warnings**

FOR the purpose of requiring that the State Amusement Ride Safety Advisory Board, in consultation with the State Traumatic Brain Injury Advisory Board, determine if it is necessary to require a certain concussion warning at amusement parks, those rides in which a certain passenger is at risk, and the appropriate method of warning passengers; requiring the State Amusement Ride Safety Advisory Board to reports its findings on or before a certain date; and generally relating to safety warnings for amusement attractions.

Read the first time and referred to the Committee on Economic Matters.

**House Bill 300 – Delegates Cluster, Alston, Boteler, Clippinger, Dwyer, Hough, K. Kelly, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valentino–Smith**

AN ACT concerning

**Public Safety – Handgun Permits – Renewal Period for Retired Law Enforcement**

FOR the purpose of establishing that a handgun permit issued to a retired law enforcement officer of the State or a county or municipal corporation of the State expires on the last day of the holder's birth month following a certain period after the date the permit is issued and may be renewed for successive periods of a certain period each under certain circumstances; and generally relating to handgun permits.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–301(a) and (d) and 5–304(b)(1) and (d)(2)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–309

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 5 – The Minority Leader

A House Joint Resolution concerning

#### Legislative Districting Plan of 2012

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

## LETTERS OF REASSIGNMENT

### MEMORANDUM

To: Hon. Norman H. Conway, Chairman, APP

From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 87	APP and W&M

Read and ordered journalized.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 29)

### **ADJOURNMENT**

At 11:29 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 30, 2012.

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**Annapolis, Maryland**  
**Monday, January 30, 2012**

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The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 32)

The Journal of January 27, 2012 was read and approved.

**EXCUSES:**

Del. Bobo – personal  
Del. Davis – personal  
Del. Griffith – illness  
Del. Harrison – illness  
Del. McIntosh – personal – illness in family  
Del. Sophocleus – illness  
Del. F. Turner – illness

**INTRODUCTION OF BILLS**

**House Bill 301 – Chair, Economic Matters Committee (By Request –  
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance Fraud – Applications for Insurance and Claim Forms – Required  
Disclosure Statement**

FOR the purpose of altering a certain statement required to be contained in certain applications for insurance and claim forms; and generally relating to insurance fraud.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–805  
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 302 – Delegate Conway**

AN ACT concerning

**Creation of a State Debt – Worcester County – Ocean City Center for the Arts**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Art League of Ocean City Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 303 – Delegates Stukes, Haynes, and Mitchell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – PMO Community Youth Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Payne Memorial Outreach, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 304 – Delegates Haynes, Anderson, Branch, Carter, Clippinger, Hammen, Harrison, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – School Construction – Block Grant**

FOR the purpose of requiring the State to provide a certain block grant each year to Baltimore City for certain public school construction projects; providing for the

initial amount, the source of funding, and an annual increase in the amount of a certain annual block grant for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; defining certain terms; and generally relating to school construction projects in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.1(a) and 5–301(d) through (j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–301(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 5–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 305 – Delegates Stukes, Haynes, and Mitchell**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Arch Social Club Historic Site Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$118,000, the proceeds to be used as a grant to the Board of Trustees of the Arch Social Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 306 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

**Talbot County – Alcoholic Beverages – Wineries**

FOR the purpose of repealing certain provisions of law that limit the wine sampling privileges of licensed wineries in Talbot County; clarifying that the statewide wine sampling privileges of licensed wineries apply in Talbot County; and generally relating to alcoholic beverages in Talbot County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–204(1) and (2)(v) and 2–205(b)(1), (5)(ii), and (7)(i)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 8–410  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 307 – Delegates Gaines, Healey, and Ross**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Prince George’s County  
– New Carrollton Recreation Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA02(BP)

Read the first time and referred to the Committee on Appropriations.

**House Bill 308 – Delegate Luedtke**

AN ACT concerning

**Tobacco–Free Schools Act**

FOR the purpose of prohibiting the use of tobacco products in school buildings, on school grounds, and inside school buses; prohibiting the use of tobacco products by certain persons at certain school–sponsored events; providing a penalty for a violation and requiring the penalty to be paid to a certain fund; authorizing a waiver of the penalty in certain circumstances; requiring the State Board of Education to adopt certain regulations; defining certain terms; and generally relating to the use of tobacco products at schools.

BY adding to

Article – Education

Section 26–105

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 309 – Delegates W. Miller, Haddaway–Riccio, Impallaria, Minnick, Schuh, Schulz, and Stifler**

AN ACT concerning

**Labor and Employment – Independent Contractor – Definition**

FOR the purpose of defining “independent contractor”; and generally relating to the definition of independent contractor.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 1–101

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 310 – Delegates Tarrant, Frank, Oaks, and Pena–Melnyk**

AN ACT concerning

**Public and Nonpublic Institutions of Higher Education – Internet and Electronic Account Privacy Protection**

FOR the purpose of prohibiting public and nonpublic institutions of higher education and institutions of postsecondary education from requiring a student or applicant for admission to provide the institution with access to certain Internet sites or electronic accounts through certain electronic devices, to disclose any user name, password, or other means for accessing certain Internet sites or



electronic accounts through certain electronic devices, or to install certain monitoring or tracking software on certain electronic devices; prohibiting certain institutions of higher education from refusing to allow a student to participate in certain activities because of the student's refusal to comply with a request to provide certain Internet site or electronic account access, to disclose certain password and related information, or to install certain software on certain electronic devices; defining certain terms; and generally relating to higher education and Internet and electronic account privacy protection.

BY adding to

Article – Education

Section 26–401 to be under the new subtitle “Subtitle 4. Internet and Electronic Account Privacy Protection”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 311 – Delegates Hixson, Huckler, and Mizeur**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Easter Seals Inter-Generational Center Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Easter Seals of Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 312 – Delegates Rosenberg, Barve, Cardin, Ivey, Ross, and Summers**

AN ACT concerning

#### **Election Law – Petitions – Prohibited Actions**

FOR the purpose of prohibiting a person from willfully and knowingly obtaining or attempting to obtain a signature on a petition by certain means; prohibiting a person from willfully and knowingly preventing, hindering, or delaying another

person from signing a petition by certain means; and generally relating to prohibited actions relating to petitions.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 16–401  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 313 – Delegates Stein, Bobo, Carr, Glenn, Hubbard, and S. Robinson**

AN ACT concerning

**Motor Vehicles – Child Seating and Safety Seats – Requirements and Prohibition**

FOR the purpose of requiring a person transporting a child under a certain age in a motor vehicle to secure the child in a rear-facing child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions; repealing an exception to a requirement that a child under a certain age must be secured in a child safety seat that applies to a child weighing more than a certain amount; prohibiting a person from transporting a child under a certain age in a motor vehicle if the child is seated in the outboard front seat of the motor vehicle; making stylistic and conforming changes; and generally relating to motor vehicles and child seating and safety seats.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–412.3(a)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 314 – Delegates Rosenberg, Cardin, and Kipke**

AN ACT concerning

**Voter's Rights Protection Act of 2012**

FOR the purpose of authorizing the Attorney General to institute an action in a circuit court for injunctive relief to prohibit a person from engaging in or continuing to engage in certain violations of election law; providing that injunctive relief may be granted under this Act only to prevent certain violations of election law from affecting a pending election; requiring a circuit court to hear and determine an action filed under this Act as soon as practicable; providing that the grant of a remedy under this Act does not preclude any other remedy available under State or federal law; providing that a circuit court shall have jurisdiction over any proceeding instituted under this Act; requiring a circuit court to exercise its jurisdiction without regard to whether a person asserting a right under this Act has exhausted any other remedy available under law; and generally relating to the availability of injunctive relief for certain election law violations.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Election Law  
Section 16–1003  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 315 – Delegates Proctor, Anderson, Aumann, Barkley, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Kaiser, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Vallario, and Wood**

AN ACT concerning

**Income Tax – Military Retirement Income**

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income; providing for the application of this Act; providing for a delayed effective date; and generally relating to the State income taxation of certain retirement income.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 316 – Delegates Costa and Kipke**

AN ACT concerning

#### **State Board of Pharmacy – Wholesale Distributor Permits – Application Requirements**

FOR the purpose of altering the information required to be included in an application for a wholesale distributor permit; limiting a requirement that the State Board of Pharmacy or its designee conduct a certain inspection to apply only to applicants that hold prescription drugs or devices; altering certain requirements for a criminal history records check of a designated representative and the supervisor of a designated representative of an applicant; and generally relating to application requirements for a wholesale distributor permit issued by the State Board of Pharmacy.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–6C–05(a), (c), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–6C–05(b) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Health Occupations  
Section 12–6C–05(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations

Section 12-6C-05(e) and 12-6C-05.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 317 – Delegate McConkey**

AN ACT concerning

**State Government – Commemorative Day – Young Heroes Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to

Article – State Government  
Section 13-410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 318 – Delegate Feldman**

AN ACT concerning

**Estates – Small Estate Administration – Eligibility Thresholds**

FOR the purpose of altering the maximum value of property of certain decedents that may be eligible to be administered as a small estate; altering the value of property discovered after filing a certain petition that requires removing an estate from small estate administration; altering the fee schedule for certain small estates; clarifying language; making stylistic changes; providing for the application of this Act; and generally relating to small estate administration.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts  
Section 5-601, 5-605, and 5-606  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood**

AN ACT concerning

**Sales and Use Tax – Exemption – Veterans' Organizations**

FOR the purpose of repealing a certain termination provision applicable to a sales and use tax exemption for sales to certain veterans' organizations; and generally relating to a sales and use tax exemption for certain sales to certain veterans' organizations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 217 of the Acts of the General Assembly of 2006, as amended by  
Chapter 506 of the Acts of the General Assembly of 2009  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 218 of the Acts of the General Assembly of 2006, as amended by  
Chapter 506 of the Acts of the General Assembly of 2009  
Section 2

Read the first time and referred to the Committee on Ways and Means.

**House Bill 320 – Delegate Malone**

AN ACT concerning

**Baltimore County – Casino Events – Money Prizes**

FOR the purpose of repealing the prohibition in Baltimore County against the offering or awarding of a money prize to certain persons by a person who holds a casino event that includes a card game or roulette; and generally relating to prizes for casino events in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–604  
Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 321 – Delegates Glass, Impallaria, and Norman**

AN ACT concerning

**Harford County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Harford County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 322 – Delegates Love, Beidle, Costa, Frush, George, Kipke, Pena–Melnyk, Schuh, Sophocleus, and Vitale**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Coordinating Center for Home and Community Care Building Facilities**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of the Coordinating Center for Home and Community Care, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 323 – Delegate Reznik**

AN ACT concerning

**Health Occupations – Licensed Podiatrists – Scope of Practice**

FOR the purpose of altering the definition of “practice podiatry” to include the surgical treatment of acute ankle fracture in the scope of practice of licensed podiatrists; and generally relating to licensed podiatrists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 324 – Cecil County Delegation**

AN ACT concerning

#### **Cecil County – Alcoholic Beverages – Class 6 Pub–Brewery Licenses**

FOR the purpose of adding Cecil County to the list of jurisdictions in which the holder of a Class 6 pub–brewery license may sell malt beverages for off–premises consumption in sealed refillable containers under certain circumstances; and generally relating to Class 6 pub–brewery licenses in Cecil County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–207(g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 325 – Delegates Conway and McDermott**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds**

FOR the purpose of altering a provision so as to require that one–half of the net after payout proceeds from slot machines operated by certain nonprofit organizations in counties on the Eastern Shore must benefit charities; making this Act an emergency measure; and generally relating to slot machines for nonprofit organizations in certain counties.



BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 12–304(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304(c)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 326 – Delegates Frank, Aumann, Bates, Beitzel, Boteler, Bromwell, Cluster, Conaway, DeBoy, Dwyer, Eckardt, Elliott, Fisher, George, Glass, Guzzone, Hogan, Hough, Impallaria, Jacobs, Kach, K. Kelly, Kipke, McConkey, McDermott, McDonough, W. Miller, Minnick, Mitchell, Morhaim, Myers, Norman, Olszewski, Otto, Parrott, Ready, B. Robinson, Schuh, Schulz, Serafini, Smigiel, Stocksedale, Szeliga, Vitale, Weir, and Wood**

AN ACT concerning

**Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required**

FOR the purpose of altering the definition of “work zone” as it relates to work zone speed control systems; providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone; and generally relating to work zone speed control systems.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–810(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–810(a)(6) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 327 – Delegates Gaines, Healey, and Ross**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Community Forklift Facility**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of the Sustainable Community Initiatives, Inc. to present evidence that a matching fund will be provided; requiring the Board of Public Works to expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BB) and Item ZA03(AZ)

Read the first time and referred to the Committee on Appropriations.

**House Bill 328 – Delegate Malone**

AN ACT concerning

**Health – Tattoo Facilities – Protection of Minors**

FOR the purpose of prohibiting an owner, employee, or operator of a tattoo facility from allowing a minor to receive a tattoo unless a certain individual provides written consent in a certain manner; requiring an owner, employee, or operator of a tattoo facility to require certain documentation before allowing an individual to receive a tattoo; authorizing the Secretary of Health and Mental Hygiene to impose certain penalties and adopt certain regulations; providing for the construction of this Act; defining certain terms; and generally relating to tattoo facilities.

BY adding to  
Article – Health – General  
Section 20–106.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 329 – Delegate Costa**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Video Lottery Facility – Hours  
for Sale and Consumption**

FOR the purpose of altering the hours for the sale and consumption of alcoholic beverages at a video lottery facility in Anne Arundel County to match the hours of operation for a video lottery facility; prohibiting the holder of an entertainment facility license or an entertainment concessionaire license, or an employee of the license holder from knowingly allowing a person to consume alcoholic beverages on the licensed premises of a video lottery facility except during the hours of operation of the facility established by law; and generally relating to the hours for the sale and consumption of alcoholic beverages at a video lottery facility in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–202(a), 11–304(a)(1), and 11–502(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–202(k) and 11–304(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 11–502(j)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–23(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 330 – Delegates Proctor, Anderson, Aumann, Beidle, Cane, Cluster,  
DeBoy, Dumais, Elliott, Feldman, Frank, Frush, Howard, Hubbard,  
Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross,  
Vallario, and Wood**

AN ACT concerning

**State Lottery – Licenses – Veterans’ Organizations**

FOR the purpose of authorizing the Director of the State Lottery Agency to issue to certain veterans’ organizations a license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; exempting certain counties from certain provisions; requiring a veterans’ organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans’ organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans’ organizations to the Maryland Veterans Trust Fund; requiring a veterans’ organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans’ organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery Agency to ensure that implementation of the provisions of this Act with respect to the conduct of gaming and the operation of the instant ticket lottery machines is consistent with a certain court decision; and generally relating to the State lottery and certain lottery machine ticket sales by veterans’ organizations.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–112, 9–120(b), and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–120(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 331 – Delegates Rosenberg, Hixson, and Frick**

AN ACT concerning

**Income Tax – Refundable Earned Income Credit**

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that an individual may claim as a refund under the State earned income tax credit under certain circumstances; providing for the

application of this Act; and generally relating to the State refundable earned income tax credit.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–704(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–704(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 332 – Delegate Conway**

AN ACT concerning

#### **Creation of a State Debt – Worcester County – Coastal Hospice at the Ocean Residence Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Coastal Hospice, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 333 – Delegate Conway**

AN ACT concerning

#### **Creation of a State Debt – Caroline County – Senior Housing for the Disabled**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the Benedictine School for Exceptional Children, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 334 – Delegates Costa and Kipke**

AN ACT concerning

**Health Occupations – State Board of Pharmacy – Jurisdiction Over  
Nonresident Pharmacies**

FOR the purpose of specifying the laws or regulations that apply to a nonresident pharmacy if there is a conflict with the provisions of a certain law of this State; requiring a nonresident pharmacy to comply with certain laws when dispensing prescription drugs or prescription devices to a patient in this State or otherwise engaging in the practice of pharmacy in this State; requiring that certain toll-free telephone service provided by a nonresident pharmacy facilitate communication between patients in this State and a pharmacist who is licensed in this State; repealing a certain requirement relating to confidentiality of prescription records; repealing certain limitations on the authority of the State Board of Pharmacy to impose certain fines or take certain disciplinary action against a nonresident pharmacy; clarifying the inspection requirements applicable to a pharmacy in this State and a nonresident pharmacy; requiring a nonresident pharmacy to submit a copy of a certain inspection report on application for and renewal of a pharmacy permit in this State; and generally relating to pharmacy permit requirements for nonresident pharmacies.

BY repealing

Article – Health Occupations

Section 12-403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 12-403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12-403(d), (e), and (g)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-403(f), 12-409, and 12-604

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 335 – Delegates Myers, Afzali, Barve, Boteler, Branch, Cardin, Fisher, Frick, George, Glass, Haddaway–Riccio, Hixson, Howard, Ivey, Kaiser, Luedtke, McDonough, A. Miller, Parrott, Rosenberg, Ross, Serafini, Stukes, Summers, and Walker**

AN ACT concerning

**Education – Public Secondary Schools Near Boundary of Two Counties**

FOR the purpose of allowing certain students to attend a public secondary school in an adjoining county under certain circumstances; authorizing the State Board of Education to adopt certain regulations; and generally relating to public secondary schools near the boundary of two counties.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–121  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 336 – Delegates Haddaway–Riccio, Conway, Eckardt, McDermott, and Otto**

AN ACT concerning

**Criminal Law – Animal Cruelty – Assignment and Costs of Animal**

FOR the purpose of requiring a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to assign ownership of a certain animal to the agency or organization that confiscated the animal for disposal at the discretion of that agency or organization and to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, feeding, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–606, 10–607, and 10–608  
Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 337 – Delegates Norman, Alston, Barnes, Braveboy, Cardin, Clippinger, Dumais, Feldman, James, K. Kelly, Lafferty, McComas, Mitchell, Niemann, Reznik, Rosenberg, Simmons, Smigiel, Stein, Valentino-Smith, Vallario, Vitale, and Wilson**

AN ACT concerning

**Courts – Discovery – Examination in Aid of Enforcement of Money Judgment**

FOR the purpose of authorizing a judgment creditor to obtain discovery in aid of enforcement of a money judgment entered or recorded in a circuit court or in the District Court by use of a court ordered examination of certain persons under oath before a judge or examiner; establishing certain timing, notice, and procedural requirements for court ordered examinations in aid of enforcement of a money judgment; and generally relating to an examination in aid of enforcement of a money judgment entered or recorded in a circuit court or in the District Court.

BY adding to

Article – Courts and Judicial Proceedings

Section 11-404

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 338 – Delegates Hough, Afzali, Cluster, DeBoy, Eckardt, Glass, Haddaway-Riccio, K. Kelly, Krebs, McComas, McDermott, Parrott, Schuh, Schulz, Simmons, and Stocksdale**

AN ACT concerning

**Criminal Procedure – Pretrial Release – Restrictions**

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is charged with certain crimes; providing that a judge may authorize the pretrial release of a certain defendant on certain conditions and cash bail, a corporate surety bond, or a certain property bond; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; and generally relating to pretrial release and restrictions on pretrial release.

BY adding to



Article – Criminal Procedure  
Section 5–202(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 339 – Delegate Niemann**

AN ACT concerning

#### **Admissions and Amusement Tax – Returns and Penalties**

FOR the purpose of increasing certain penalties for willful failure to file an admissions and amusement tax return under certain circumstances; increasing certain penalties for willfully making a false statement or misleading omission on admissions and amusement tax returns; increasing certain penalties for willful failure to keep admissions and amusement tax records; and generally relating to the admissions and amusement tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 13–1001(a), 13–1003(a), 13–1005(a), and 13–1008(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 340 – Delegates Arora and Wilson**

AN ACT concerning

#### **Vehicle Laws – Seat Belts and Child Safety Seats**

FOR the purpose of altering the standard for the number of seat belts required to be equipped in the front and back seats of certain motor vehicles; altering, and extending the application of, the definition of the term “seat belt”; clarifying the circumstances under which certain restraint devices may be sold; altering certain penalties for violations of certain provisions relating to the use of seat belts and child safety seats; repealing a certain exemption relating to transporting more children in a motor vehicle than the number of available seat belts or child safety seats in the motor vehicle; repealing a certain definition; prohibiting a person from operating a motor vehicle unless each occupant is restrained by a seat belt or a child safety seat; prohibiting a person who is at least a certain age from being a passenger in a motor vehicle unless the person is restrained by a seat belt used in accordance with certain instructions; making

stylistic changes; clarifying language; making conforming changes; and generally relating to seat belts and child safety seats.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–113(d–1), 22–412, 22–412.2, 22–412.3, and 27–106(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 341 – Chair, Economic Matters Committee**

AN ACT concerning

#### **State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Commission of Real Estate Appraisers and Home Inspectors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission; requiring that an evaluation of the Commission be performed on or before a certain date; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; repealing a requirement for the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; renaming the Commission; making conforming changes; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 16–101(g) to be under the amended title “Title 16. Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”;  
16–201 and 16–217(c)(2) to be under the amended subtitle “Subtitle 2. State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; and 16–801 and 16–802  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 2–106.7(a) and (b)(1), 2–106.8(a), and 2–108(a)(25)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(59)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Chapter 470 of the Acts of the General Assembly of 2001  
Section 3

Read the first time and referred to the Committee on Economic Matters.

**House Bill 342 – Delegates Smigiel, Hershey, and Jacobs**

AN ACT concerning

**Education – Regional School of the Arts for Cecil, Kent, and Queen Anne’s  
Counties – Feasibility Study**

FOR the purpose of requiring the State Department of Education, jointly with certain local boards of education, to study the feasibility of establishing a regional school of the arts for certain counties; requiring the State Superintendent of Schools to submit a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on a regional school of the arts.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 343 – Delegates Reznik, Barkley, Bobo, Bromwell, Clagett,  
Clippinger, Hogan, Howard, Hubbard, A. Kelly, Kipke, Luedtke,  
B. Robinson, and S. Robinson**

AN ACT concerning

**Vehicle Laws – Child Safety Seats and Seat Belts – Penalty**

FOR the purpose of increasing the fine for failing to secure a child under a certain age in a child safety seat or seat belt while transporting the child in a motor vehicle or operating a motor vehicle; repealing a requirement that court costs are included in a certain fine; making stylistic changes; and generally relating to child safety seats and seat belts.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.2, 22–412.3, and 27–106(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 344 – Delegate McDonough**

AN ACT concerning

#### **State Government – E-Verify Program**

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized aliens in the performance of public contracts and grants in the State; specifying criteria for mandatory registration in a certain federal E-Verify program for certain contractors and grantees; prohibiting noncompliant persons or entities from performing certain contracts; imposing certain requirements on certain subcontractors; authorizing the Commissioner of Labor and Industry to assess certain penalties for a violation of this Act; providing that the penalties imposed under the authority of this Act do not apply to certain contractors and grantees under certain circumstances; defining certain terms; and generally relating to the employment of unauthorized aliens and the federal E-Verify program.

BY adding to  
Article – State Finance and Procurement  
Section 20–101 through 20–105 to be under the new title “Title 20. Use of the  
Federal E-Verify Program to Prevent the Employment of Unauthorized  
Aliens”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 345 – Delegate McDonough**

AN ACT concerning

#### **State Finance and Procurement – Transportation Projects – Use of Federal E-Verify Program**

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers by any contractor under any public contract for the performance of certain transportation projects; specifying

criteria for mandatory registration in a certain federal E-Verify program for certain contractors; prohibiting noncompliant persons from performing certain contracts; imposing certain requirements on certain subcontractors; restricting eligibility for prequalification to contractors in compliance with certain provisions of law; creating a safe harbor against debarment for contractors registered under the E-Verify program; providing for an administrative appeal to the Board of Contract Appeals; providing for the application of this Act; and generally relating to the employment of unauthorized alien workers under certain contracts for State transportation projects and the federal E-Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–106 to be under the new title “Title 20. Use of the Federal E-Verify Program for Transportation Projects”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 3–216(a) and (b)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 346 – Chair, Ways and Means Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Tobacco Products – Tobacco Tax – Exemptions and Penalties**

FOR the purpose of altering certain exemptions from the tobacco tax for cigarettes and other tobacco products brought into the State by certain consumers; establishing certain mandatory fines for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid; establishing additional penalties of terms of imprisonment for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid; and generally relating to the tobacco tax on cigarettes and other tobacco products.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 12–104 and 13–1015  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

**House Bill 347 – Delegates Hubbard, Aumann, Barkley, Barnes, Bates, Beidle, Bohanan, Boteler, Braveboy, Clagett, Cluster, Costa, DeBoy, Elliott, Fisher, Frush, Gaines, George, Gutierrez, Guzzone, Holmes, Howard, Hucker, Impallaria, Ivey, Kramer, Krebs, Lee, Love, Luedtke, McComas, McConkey, A. Miller, Minnick, Morhaim, Myers, Niemann, O’Donnell, Pena–Melnyk, Proctor, Reznik, S. Robinson, Serafini, Sophocleus, Stocksdale, V. Turner, and Vaughn**

AN ACT concerning

**Income Tax – Credit for Long–Term Care Premiums**

FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long–term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long–term care insurance purchased after a certain date; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care premiums.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–718  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 348 – Delegate Hubbard**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Certified Professional Counselor–Alcohol and Drug – Repeal**

FOR the purpose of repealing certain provisions of law relating to the requirements that must be met to qualify as a certified professional counselor–alcohol and drug; repealing a certain requirement that the State Board of Professional Counselors and Therapists grant a certain waiver to certain applicants; prohibiting the Board from placing a certified professional counselor–alcohol and drug on inactive status; prohibiting the Board from reinstating the

certificate of a certified professional counselor–alcohol and drug under certain circumstances; providing that this Act may not be construed to invalidate certain certificates or to prohibit certain renewals; and generally relating to the repeal of the certified professional counselor–alcohol and drug certificate.

BY repealing

Article – Health Occupations  
Section 17–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 17–405 and 17–505  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 349 – Delegates Clippinger, Wilson, Anderson, Arora, Dumais, Glenn, Guzzone, Hough, A. Kelly, Lee, Luedtke, McComas, McDermott, A. Miller, Parrott, Simmons, Smigiel, Valentino–Smith, and Waldstreicher**

AN ACT concerning

**Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations**

FOR the purpose of altering the period of time within which a prosecution for misdemeanor possession of child pornography must be instituted after the offense was committed; and generally relating to the statute of limitations for misdemeanor possession of child pornography.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 5–106(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–106(bb)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–208  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker**

AN ACT concerning

**Criminal Law – Possession of Marijuana – De Minimus Quantity**

FOR the purpose of establishing a reduced penalty for a person convicted of the use or possession of less than a certain quantity of marijuana; providing that, with a certain exception, the use or possession of less than a certain quantity of marijuana may not be considered a lesser included crime of any other crime; and generally relating to penalties for possession of marijuana.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 351 – Delegates Clippinger, Anderson, Arora, Dumais, Glenn, Guzzone, Hough, Howard, A. Kelly, Lee, Luedtke, McComas, McDermott, A. Miller, Parrott, Simmons, Smigiel, Valentino–Smith, Waldstreicher, and Wilson**

AN ACT concerning

**Criminal Law – Third Degree Sexual Offense – Burglary**

FOR the purpose of establishing that engaging in sexual contact with another without the consent of the other in connection with a first, second, or third degree burglary constitutes sexual offense in the third degree; providing for the application of this Act; and generally relating to sexual offense in the third degree.



BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 352 – Delegates Holmes and Weir**

AN ACT concerning

#### **Common Interest Communities – Management Services – Required Contract**

FOR the purpose of requiring a service provider that assists in providing certain management services for a common interest community under the direction of the governing body to enter into a written contract with the governing body of the common interest community in order to provide the management services; establishing the right of a common interest community to terminate a certain service without penalty if the service was not provided under a written contract; establishing the right to terminate a certain written contract for cause; prohibiting certain provisions in a certain written contract; requiring a service provider to provide a common interest community with evidence that the service provider carries certain insurance coverage before entering into a certain written contract; requiring a written contract to provide certain legal defense to a service provider under certain conditions; requiring a written contract that includes accounting or debt collection services to include certain provisions; requiring a certain written contract to make certain provisions regarding certain records and documents of the common interest community; defining certain terms; providing for a delayed effective date; and generally relating to the requirement of a written contract for the provision of management services to a common interest community.

BY adding to  
Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 353 – Delegates Holmes and Glenn**

AN ACT concerning

#### **Jury Service – Employers – Prohibited Acts**

FOR the purpose of prohibiting an employer from requiring an individual to work during a certain time period on a day in which the individual is expected to perform jury service or acts related to jury service, subject to a certain exception; prohibiting an employer from depriving an individual of employment or coercing, intimidating, or threatening to discharge an individual for exercising a certain right to refrain from work for performing jury service or acts relating to jury service; and generally relating to jury service.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 8–501  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 354 – Delegate Holmes**

AN ACT concerning

#### **Speed Monitoring Systems and School Bus Monitoring Cameras – Use of Fines – Public Education**

FOR the purpose of authorizing a political subdivision that collects fines as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, after recovering costs of implementing and administering the speed monitoring systems or school bus monitoring cameras, to spend the remaining balance on public education purposes; and generally relating to the use of fines collected for violations enforced by speed monitoring systems or school bus monitoring cameras.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–302(e)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 355 – Delegates Schuh, Costa, Dwyer, George, Kipke, McConkey, McMillan, and Vitale**

AN ACT concerning

#### **Employment and State Procurement – Use of the Federal E–Verify Program (Better Maryland – Immigration Reform)**

FOR the purpose of establishing the Office of Employment Verification Assistance in the Division of Labor and Industry; requiring the Office to provide certain assistance to certain employers; requiring, at certain intervals, the Commissioner of Labor and Industry to request from the U.S. Department of Homeland Security a list of all employers in the State that are registered with the federal E-Verify program; requiring the Commissioner, on receipt of a certain list, to post the list on the Department of Labor, Licensing, and Regulation Web site; requiring the Commissioner, under certain circumstances, to notify the chief procurement officer of each State and local government for a certain purpose; establishing the Lawful Employment Enforcement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring an employer to register and participate in the federal E-Verify program, verify the work authorization status of each employee hired, and maintain certain records; authorizing an employer to contract with a person for a certain purpose; authorizing an employer to obtain certain verification through the Office under certain circumstances; requiring an employer to sign a certain affidavit before receiving certain assistance from the Office; requiring an employer to take certain action if an employer acquires access to the Internet after signing and filing a certain affidavit with the Office; requiring the Department to design a certain affidavit form; prohibiting an employer from knowingly employing or continuing to employ certain individuals or use certain contracts or agreements to obtain the labor of certain individuals; providing that an employer is not in violation of certain provisions of this Act under certain circumstances; specifying that an employer who terminates an employee under certain circumstances is not subject to a certain civil action; requiring a contractor that enters into a contract with a subcontractor to require certain documents from the subcontractor; requiring the contractor to maintain a copy of certain documents for a certain time period; specifying that a contractor that terminates a certain contract may not be considered in breach of contract or held liable for certain damages; authorizing a subcontractor to file a certain action with a certain court within a certain time period; specifying that a contractor is deemed to be the employer of a certain individual unless a certain requirement is met; requiring the Commissioner to develop and implement a certain statewide random auditing program; specifying that the auditing program may be conducted in a certain manner; requiring the Commissioner to develop and make available a certain complaint form; specifying that a certain complaint form must require certain information; prohibiting a certain complaint form from requiring certain information; prohibiting an employer from taking certain action against certain individuals; requiring the Commissioner to take certain actions on receipt of a certain complaint form, except under certain circumstances; requiring the Commissioner to verify the work authorization status of certain individuals with the federal government under certain circumstances; prohibiting the Commissioner from attempting to

independently make a certain final determination; authorizing the Commissioner to take certain actions while administering a certain program or investigating a certain complaint; specifying that a reproduction or photograph or a certain business record is not a public record except under certain circumstances; requiring the Commissioner to issue a certain preliminary order under certain circumstances; authorizing an employer to submit, within a certain time period, a certain request for a certain hearing; specifying that, under certain circumstances, the employer is deemed to have waived the right to a certain hearing; requiring that a certain hearing be completed within a certain time after a certain order was issued; requiring the Commissioner to issue a final order within a certain time period; requiring the Commissioner to adopt certain regulations and authorizing the Commissioner to adopt certain regulations; specifying that certain regulations must be consistent with the Administrative Procedure Act; requiring, beginning on a certain date and at certain intervals thereafter, the Commissioner to post a certain list of certain employers on the Department's Web site; specifying that a certain list must remain on the Web site until a certain time; requiring the Commissioner to notify U.S. Immigration and Customs Enforcement of certain employers and certain individuals; requiring the Commissioner to notify a certain local law enforcement agency of certain individuals under certain circumstances; establishing certain penalties for violations of certain provisions of this Act; requiring the Commissioner to issue a warning, under certain circumstances, in lieu of certain penalties; specifying that certain violations must result from a complaint that is separate from another certain complaint; requiring that certain civil penalties be paid into the Fund; specifying that certain proof creates a certain rebuttable presumption; specifying criteria for the mandatory registration in a certain federal E-Verify program for certain contractors and grantees; requiring a certain person to make a certain affirmation to a contracting agency under certain circumstances; prohibiting certain persons from employing or continuing to employ or contract independently with certain individuals; imposing certain requirements on certain subcontractors; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the use of the federal E-Verify program in employment and State procurement.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 2-101(a), (b), and (c) and 3-101(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 2-107  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment

Section 3–1101 through 3–1114 to be under the new subtitle “Subtitle 11. Use of the Federal E–Verify Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–104 to be under the new title “Title 20. Use of the Federal E–Verify Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 356 – Delegate Braveboy**

AN ACT concerning

#### **Transportation – Required Security – Rental Vehicles**

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; and generally relating to proof of insurance for the registration of certain rental vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 17–103

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 17–104 and 18–102

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 357 – Delegates B. Robinson, Conaway, and Tarrant**

AN ACT concerning

**Baltimore City – Midtown Community Benefits District Management Authority**

FOR the purpose of requiring the Mayor and City Council of Baltimore City to require that the Board of Directors of the Midtown Community Benefits District Management Authority include certain members; and generally relating to the Midtown Community Benefits District Management Authority in Baltimore City.

BY repealing and reenacting, without amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (63)(a)(1)  
(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (63)(f)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 358 – Delegate Conway**

AN ACT concerning

**Drivers' Licenses and Identification Cards – Notation of Veteran Status**

FOR the purpose of requiring the Department of Veterans Affairs, on request, to provide a veteran with a document certifying veteran status; requiring the Motor Vehicle Administration to ensure that the driver's license or identification card of an applicant who presents a certain certification of veteran status includes a notation indicating that the applicant is a veteran; requiring an application for a driver's license or an identification card to allow an applicant to indicate that the applicant is a veteran and consents to being contacted by the Department for certain purposes; requiring the Administration to electronically transmit certain information to the Department; authorizing the Administration to adopt regulations to carry out certain provisions of this Act; and generally relating to drivers' licenses and identification cards of veterans.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–901(a), (b), and (d)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–905

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation

Section 12–302

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 359 – Delegate Holmes**

AN ACT concerning

**Transportation – Temporary Advertising Signs on State Highways  
Authorized**

FOR the purpose of authorizing a person to place or maintain temporary advertising signs that meet certain requirements on a State highway under certain circumstances; providing that certain provisions of law regulating the placement and maintenance of outdoor signs in certain locations do not apply to a sign placed in accordance with this Act; making stylistic changes; and generally relating to temporary advertising signs on certain highways.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–605 and 8–714

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 360 – Delegates Schuh, Beidle, Costa, Kipke, McConkey, McMillan,  
Sophocleus, and Vitale**

AN ACT concerning

**Anne Arundel County – Unauthorized Signs on Highway Rights-of-Way –  
Exceptions**

FOR the purpose of exempting in Anne Arundel County a sign placed or maintained by a home builder or real estate broker during certain time periods from the prohibition against placing or maintaining a sign within the right-of-way of a State highway; making a stylistic change; and generally relating to the placement and maintenance of signs on State highway rights-of-way in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 361 – Delegates Pena–Melnyk, Reznik, Barnes, Braveboy, Bromwell, Carr, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Frush, Gilchrist, Gutierrez, Hammen, Hubbard, Ivey, Kach, A. Kelly, Kipke, Krebs, Lee, Luedtke, McDonough, A. Miller, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pendergrass, Ready, Tarrant, and V. Turner**

AN ACT concerning

**Public Safety – Autism Awareness Training Program**

FOR the purpose of requiring the Police Training Commission to implement a certain program on autism awareness training for certain police officers; prohibiting the Commission from approving or issuing a certificate to a certain school until the school has implemented a certain autism awareness training program; prohibiting the Commission from certifying an individual as a police officer until the individual has completed a certain autism awareness training program; requiring the Commission to adopt certain rules and regulations requiring that previously certified police officers complete certain training by a certain date; requiring a certain autism awareness training program to address certain items; and generally relating to autism awareness training programs.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–207  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 362 – Delegates Rudolph and James**

AN ACT concerning



**Northeast Maryland Higher Education Advisory Board**

FOR the purpose of establishing the Northeast Maryland Higher Education Advisory Board; providing for the composition, appointment, and terms of the Board members; providing for a chair of the Board and the establishment of certain committees; prohibiting Board members from receiving certain compensation but entitling Board members to reimbursement for certain expenses; providing for the powers and duties of the Board; authorizing the Board to apply, accept, and expend certain gifts, appropriations, or grants; authorizing the Board to adopt a corporate seal; requiring the Board to keep certain records and be subject to certain audits; requiring the Advisory Board to the Higher Education and Conference Center at HEAT to take a certain action on or before a certain date; defining certain terms; and generally relating to the establishment of the Northeast Maryland Higher Education Advisory Board.

BY adding to

Article – Education

Section 24–901 through 24–904 to be under the new subtitle “Subtitle 9.  
Northeast Maryland Higher Education Advisory Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 363 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Clippinger, Hammen, Harrison, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Police Department – Appointments**

FOR the purpose of altering the rank above which the Police Commissioner of Baltimore City may make an appointment without an examination under certain circumstances; and generally relating to appointments in the Police Department of Baltimore City.

BY repealing and reenacting, with amendments,

The Public Local Laws of Baltimore City

Section 16–7(3) and 16–10(d)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 364 – Delegates Tarrant, Hubbard, A. Kelly, Murphy, Oaks, Ready, Reznik, and V. Turner**

AN ACT concerning

**Employment – Internet and Electronic Account Privacy Protection**

FOR the purpose of prohibiting certain employers from requiring an employee or applicant for employment to disclose any user name, password, or other means for accessing any Internet site or electronic account through certain electronic devices; prohibiting certain employers from requiring an employee to install certain monitoring or tracking software on certain electronic devices; authorizing an employer to require an employee to disclose certain information; prohibiting an employer from taking, or threatening to take, certain disciplinary actions because of an employee's refusal to disclose certain password and related information or to install certain software on certain electronic devices; prohibiting an employer from failing or refusing to hire an applicant as a result of the applicant's refusal to disclose certain password and related information or to install certain software on certain electronic devices; defining certain terms; and generally relating to employment and Internet and electronic account privacy protection.

BY adding to

Article – Labor and Employment

Section 3–712

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Nuisance Abatement and Local Code Enforcement –  
Community Associations**

FOR the purpose of altering the definition of “community association” under certain provisions of law relating to the standing of certain community associations in Baltimore City to seek judicial relief for abatement of certain nuisances; altering the definition of “nuisance” to repeal a certain requirement that a local code violation must diminish the value of neighboring property; prohibiting a community association from filing an action if the community association receives certain information from a certain department regarding an active code enforcement plan; repealing a certain requirement that a community

association must file a bond with the court before seeking nuisance abatement; repealing a certain provision that a community association may not be construed to have standing to pursue a nuisance action concerning a vacant dwelling that is boarded up, free from trash and debris, and secure against entry; clarifying that a certain housing authority in Baltimore City is not subject to an action brought under this Act; and generally relating to the right of community associations in Baltimore City to seek judicial abatement of certain nuisances.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–123  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 366 – Delegate Malone**

AN ACT concerning

#### **Public Safety – Building Performance Standards – Fire and Life Safety**

FOR the purpose of prohibiting a local jurisdiction from adopting local amendments to the Maryland Building Performance Standards if the local amendments weaken fire and life safety provisions contained in the Standards; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the authority of local jurisdictions to amend the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–504  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–504  
Annotated Code of Maryland  
(2011 Replacement Volume)  
(As enacted by Chapter 369 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Environmental Matters.

HOUSE ECONOMIC MATTERS COMMITTEE REPORT ON THE  
STATE COMMISSION OF REAL ESTATE APPRAISERS AND HOME INSPECTORS  
(HOUSE BILL 341)

(See Exhibit B of Appendix II)

Journalized.

HOUSE ENVIRONMENTAL MATTERS COMMITTEE REPORT ON THE  
STATE BOARD OF ENVIRONMENTAL SANITARIANS (HOUSE BILL 511)

(See Exhibit C of Appendix II)

Journalized.

HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT ON THE  
STATE BOARD OF NURSING (HOUSE BILL 395), THE STATE BOARD OF PHARMACY  
(HOUSE BILL 283), THE STATE BOARD OF PHYSICIANS AND THE RELATED ALLIED HEALTH  
ADVISORY COMMITTEES (HOUSE BILL 824), AND THE OFFICE OF CEMETERY OVERSIGHT  
(HOUSE BILL 394)

(See Exhibit D of Appendix II)

Journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 33)

**ADJOURNMENT**

At 8:34 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 31, 2012.

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**Annapolis, Maryland**  
**Tuesday, January 31, 2012**

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The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Heather R. Mizeur of Montgomery County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 34)

The Journal of January 30, 2012 was read and approved.

**EXCUSES:**

Del. Costa – illness

Del. Griffith – illness

Del. Harrison – illness

Del. Hubbard – business

Del. F. Turner – illness

**MESSAGE TO THE SENATE**

January 31, 2012

**BY THE MAJORITY LEADER:**

Ladies and Gentlemen of the Senate:

The Governor of Maryland has signified his intention of addressing the General Assembly of Maryland on Wednesday, February 1, 2012 at 12 Noon in the House Chamber.

We propose with your concurrence, a joint meeting of the two Houses for this occasion and have appointed Delegates Washington and Costa to escort your Honorable Body to the House Chamber.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House, to escort the Governor to the House Chamber. We have appointed Delegates Olszewski, Pena-Melnyk and Hogan.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates V. Turner, Nathan-Pulliam and Frank.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### MESSAGE FROM THE SENATE

January 31, 2012

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message that the Governor has signified his intention to address the General Assembly of Maryland on Wednesday, February 1, 2012 at 12:00 Noon, and your proposal of a joint meeting of the General Assembly in the Chamber of the House of Delegates.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Garagiola, Pugh and Pipkin as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

We have also appointed as members of a joint committee, Senators Gladden, Raskin and Reilly to escort the Lt. Governor to the House Chamber.

By Order,  
William B.C. Addison, Jr.  
Secretary of the Senate

Read and ordered journalized.

### QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 35)

### ADJOURNMENT

At 10:17 A.M. on motion of Delegate Barve the House adjourned until 11:30 A.M. on Wednesday, February 1, 2012.

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**Annapolis, Maryland**  
**Wednesday, February 1, 2012**

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The House met at 11:32 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Michael G. Summers of Prince George's County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 49)

The Journal of January 31, 2012 was read and approved.

**EXCUSES:**

Del. Barnes – late – personal

Del. Griffith – illness

Del. F. Turner – illness

**INTRODUCTION OF BILLS**

**House Bill 367 – Delegates Schuh and McConkey**

AN ACT concerning

**Anne Arundel County Board of Education – Members – Increase and Selection**

FOR the purpose of increasing the number of members of the Anne Arundel County Board of Education; requiring that certain members of the county board be elected at a certain election; providing for the residency, the terms of office, and the filling of a vacancy of certain members of the county board; authorizing the Anne Arundel County Board of Elections to adopt certain regulations; making certain conforming changes; and generally relating to the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–110 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Ways and Means.

**House Bill 368 – Delegates Norman, Bates, Elliott, Fisher, Frank, Jacobs, Krebs, McComas, McDermott, Otto, Smigiel, Stocksdales, and Vitale**

AN ACT concerning

**Business Occupations and Professions – State Board of Plumbing – Membership**

FOR the purpose of altering the membership of the State Board of Plumbing to require that one member be from the area that consists of Carroll and Howard counties and one member be from the area that consists of Cecil and Harford counties; and generally relating to the membership of the State Board of Plumbing.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–202(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 369 – Delegates Stein, Carr, Frush, Luedtke, Niemann, and S. Robinson**

AN ACT concerning

**Coal Tar Pavement Products – Prohibition**

FOR the purpose of prohibiting a person from applying a coal tar pavement product to any driveway, parking lot, or other surface; defining certain terms; and generally relating to coal tar pavement products.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 4–501  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8. Coal Tar Pavement Products”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 370 – Delegate Costa**

AN ACT concerning

**Public Schools – Physical Examinations – Calculation of Body Mass Index**

FOR the purpose of requiring the State Department of Education’s regulations regarding physical examinations of children entering the public school system to include a calculation of the child’s body mass index; and generally relating to requirements for physical examinations of children in public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–402  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 371 – Delegate Cluster**

AN ACT concerning

**State Retirement and Pension System – Transfer of Service Credit**

FOR the purpose of providing that certain members of the Employees’ Pension System may transfer certain service credit from the State Contributory Law Enforcement Officers’ Modified Pension Benefit in a certain manner; providing that certain members of the Employees’ Pension System who transfer certain service credit from the State Contributory Law Enforcement Officers’ Modified Pension Benefit are not responsible for the payment of certain contributions and interest for certain creditable service during a certain period of time and requiring the members to complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the transfer of service credit for members of the Employees’ Pension System.

Read the first time and referred to the Committee on Appropriations.

**House Bill 372 – Delegate Howard**

AN ACT concerning

**Vehicle Laws – Speed Cameras – Relocation of Camera**

FOR the purpose of prohibiting the relocation of a speed monitoring system or work zone speed control system for the purpose of increasing the revenue generated by the speed monitoring system or the work zone speed control system; and generally relating to the relocation of speed monitoring systems and work zone speed control systems.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809(b) and 21–810(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson**

AN ACT concerning

**Education – Age for Compulsory Public School Attendance – Exemptions**

FOR the purpose of altering the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; altering the age of certain children for which certain persons are responsible for the child’s attendance at school or receipt of certain instruction; making certain stylistic changes; providing for delayed effective dates; and generally relating to the age for compulsory public school attendance.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301(a), (a–1)(1), (c), and (e)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 374 – Delegate O’Donnell**

AN ACT concerning

**Ethics – Executive Branch – Lobbying by Former Officials**

FOR the purpose of prohibiting certain former State officials or public officials of the Executive Branch from engaging in certain employment for a certain period of time; providing exceptions to the employment prohibition; and generally relating to lobbying by former Executive Branch officials.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–504(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 375 – Delegate Cane**

AN ACT concerning

**Creation of a State Debt – Caroline County – The Wharves at Choptank  
Crossing Heritage and Welcome Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Denton Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 376 – Delegates Simmons, Anderson, Arora, Barkley, Burns, Cane, Cluster, Conaway, Cullison, Dwyer, Gilchrist, Glenn, Gutierrez, Hough, Hucker, K. Kelly, Kramer, McConkey, McMillan, Myers, Parrott, B. Robinson, Serafini, Tarrant, Washington, and Wilson**

AN ACT concerning

**Video Lottery Terminal Proceeds – School Construction**

FOR the purpose of altering and repealing certain requirements of law relating to the use of proceeds from video lottery terminals; establishing a School Construction Account under the authority of the Interagency Committee on School Construction; providing for the purpose of the Account; requiring the Comptroller to pay certain money from the Account under certain circumstances; requiring that funding from the Account be used to service certain debt for school construction under certain circumstances; repealing a certain account used for racetrack facility renewal purposes; providing for a certain exception; altering certain termination dates; and generally relating to video lottery terminal proceeds and school construction.

BY repealing

Article – State Government  
Section 9–1A–09 and 9–1A–29  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–09.1(c) and (d)(1), 9–1A–27, and 9–1A–28  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Chapter 412 of the Acts of the General Assembly of 2011  
Section 4

BY repealing and reenacting, with amendments,

Chapter 412 of the Acts of the General Assembly of 2011  
Section 5

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 377 – Delegate Kipke**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – Chesapeake High School Field Lights**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Anne Arundel County Board of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 378 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Follow-Up Criminal History  
Records Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services to provide the Board of License Commissioners of Frederick County with a revised printed criminal record statement of a license applicant or license holder if information is reported to the Central Repository after the initial criminal history records check is completed; requiring the Central Repository to stop providing the Board with revised printed statements under certain circumstances; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10-103(b)(13)(v)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 379 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Citations Issued by Inspectors**

FOR the purpose of removing Frederick County from the list of counties whose alcoholic beverages inspectors are prohibited from carrying a weapon when issuing a citation for certain violations; clarifying language; and generally relating to alcoholic beverages inspectors in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10-119(b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 380 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Election Law – Early Voting Centers**

FOR the purpose of requiring Frederick County to have a certain minimum and maximum number of early voting centers established in the county if the county has fewer than a certain number of registered voters; and generally relating to the establishment of early voting centers in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 381 – Delegate Clagett****EMERGENCY BILL**

AN ACT concerning

**Electric Companies – Generation Request for Proposals – Expansion of Area**

FOR the purpose of requiring the Public Service Commission to consider all areas of the State when determining the need for additional electricity generation; requiring an electric company to reference generation potential in all areas of the State in a request for proposals submitted to the Commission; specifying certain criteria that an electric company shall consider in a request for proposals; making this Act an emergency measure; and generally relating to electricity generation.

BY adding to  
Article – Public Utilities  
Section 7–214  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 382 – Delegates B. Robinson, Cane, Conaway, Glenn, Kaiser, McComas, Stukes, and Washington**

AN ACT concerning

**Department of Health and Mental Hygiene – Health Care Facilities – Abuser Registry**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure; prohibiting a health care facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–114(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 19–347.1 and 19–351(e) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–351(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 383 – Delegates Olszewski, Krebs, Barnes, Beidle, Bobo, Boteler, Kach, Kipke, and Weir**

AN ACT concerning

**Taxpayer Protection Act – State Income Tax – Consumer Price Index Adjustments**

FOR the purpose of altering certain State income tax rate bracket thresholds by a certain cost-of-living adjustment; providing for the application of this Act; and



generally relating to a cost-of-living adjustment for certain income tax rate brackets.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–105(a)(1)(iii) and (2)(iii)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–105(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 384 – Delegates Olszewski, Boteler, Bromwell, Burns, DeBoy, Frank, Impallaria, Minnick, Szeliga, and Weir**

AN ACT concerning

**Baltimore County Public Schools – Enrollment and Transfer – Parental Decision**

FOR the purpose of authorizing the parent or guardian of a student eligible for enrollment in Baltimore County public schools to decide to enroll the student in a public school in the county other than the public school to which the student was assigned by the Baltimore County Board of Education beginning in a certain school year; requiring the county board to publish certain classroom seat information each year; requiring certain classroom seats to be open to certain students on a space-available basis; requiring certain schools to enroll and admit certain students on a lottery basis under certain circumstances; requiring the county board to develop and adopt a certain process on or before a certain date; authorizing certain students to attend certain schools for a certain period of time; authorizing the county board to develop a certain policy that requires a certain parent or guardian to sign a certain form regarding the transportation of a certain student; providing that certain provisions of law may not be construed to affect certain students who enroll or transfer schools under other provisions of law or a certain federal law; and generally relating to a parent's or guardian's decision to enroll or transfer a student in Baltimore County public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–109  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 4–110

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 385 – Delegates Olszewski, Kach, Arora, Beidle, Bobo, Boteler, Carr, Clagett, DeBoy, Healey, Kaiser, Kipke, McDonough, Mizeur, Pendergrass, Stocksdales, Szeliga, Vitale, and Weir**

AN ACT concerning

**Video Lottery Operation Licenses – Information on Payouts**

FOR the purpose of requiring that regulations adopted by the State Lottery Commission include provisions that require certain payouts above certain amounts be reported to the State Lottery Agency in a report that contains certain information; requiring that the State Lottery Agency modify the report in a certain manner and forward the modified report to the Department of Human Resources' Child Support Enforcement Administration for certain purposes; and generally relating to video lottery terminal payouts and the holding of a video lottery operation license.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–24(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–24(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 9–1A–24(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 386 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)**

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –  
Parking in Baltimore County**

FOR the purpose of authorizing an individual for whom special registration plates for individuals with disabilities are issued to park in a designated zone for the handicapped established by Baltimore County on any county road, subject to a certain restriction; making a stylistic change; and generally relating to parking in Baltimore County and special registration plates for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(f)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 387 – Delegate O’Donnell**

AN ACT concerning

**Presidential Elections – Agreement Among the States to Elect the President  
by National Popular Vote – Repeal**

FOR the purpose of rescinding the State’s consent to enter into the Agreement Among the States to Elect the President by National Popular Vote and repealing the statutory provisions reciting the Agreement; repealing certain provisions of law relating to the nomination of presidential electors; specifying that presidential electors in the State continue to be elected at large by the voters of the entire State and not in accordance with the procedure outlined in the Agreement; specifying that presidential electors cast their votes for the candidates for President and Vice President who received a plurality of the votes cast in the State and not as defined under the Agreement; repealing a certain contingency relating to the State’s entry into the Agreement; and generally relating to the repeal of the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–503 through 8–505  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Election Law

Section 8–5A–01 and the subtitle “Subtitle 5A. Agreement Among the States to Elect the President by National Popular Vote”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Chapter 43 of the Acts of the General Assembly of 2007

Section 3

BY repealing

Chapter 44 of the Acts of the General Assembly of 2007

Section 3

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 388 – Delegate O’Donnell**

AN ACT concerning

#### **Public Benefits – Requirement of Proof of Lawful Presence**

FOR the purpose of requiring adults to provide proof of lawful presence in the United States before receiving certain public benefits; requiring State units and political subdivisions that provide certain public benefits to verify the lawful presence of certain persons in the United States; providing for certain exceptions; requiring certain applicants for certain public benefits to produce certain types of identification; requiring certain applicants for certain public benefits to execute a certain affidavit; authorizing State units and political subdivisions to adopt certain modifications to certain requirements under certain circumstances; prohibiting State units and political subdivisions from providing certain public benefits to certain persons; making it a misdemeanor to knowingly make a certain false, fictitious, or fraudulent statement or affidavit; providing certain penalties; requiring State units and political subdivisions to verify an applicant’s lawful presence through a certain federal program; allowing a certain affidavit to be presumed to be proof of lawful presence under certain circumstances; requiring certain reports; defining certain terms; and generally relating to requiring proof of a person’s lawful presence before receipt of certain public benefits.

BY adding to

Article – State Government

Section 10–1301 through 10–1308 to be under the new subtitle “Subtitle 13. Proof of Lawful Presence to Receive Public Benefits”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 389 – Delegate Clagett**

AN ACT concerning

**Business Regulation – Cemeteries – Forfeited Rights To Interment**

FOR the purpose of authorizing a certain cemetery to initiate proceedings for the forfeiture of the right to interment under certain circumstances; requiring the Office of Cemetery Oversight to review and approve all forfeiture proceedings; requiring a cemetery that initiates proceedings for the forfeiture of the right to interment to provide certain notice and to file certain information with the Office; authorizing an owner or a family member of the owner of a right to interment to suspend certain forfeiture proceedings in a certain manner; establishing that an unused right to interment is forfeited within a certain period of time under certain circumstances; granting certain remedies to the owner or an individual entitled to use an interment that has been forfeited; providing for the application of this Act; and generally relating to forfeiting rights to interment in cemeteries.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 5–101(a), (d), (g), (l), (m), (n), and (t)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–503  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 390 – Delegates Luedtke and Reznik**

AN ACT concerning

**Libraries – Maryland Deaf Culture Digital Library**

FOR the purpose of requiring the Division of Library Development and Services in the State Department of Education to establish and coordinate the Maryland Deaf

Culture Digital Library; requiring the Division to coordinate with the Governor's Office of the Deaf and Hard of Hearing in establishing the digital library; specifying a certain purpose and content of the digital library; and generally relating to the establishment of the Maryland Deaf Culture Digital Library.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 23–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 391 – Delegate Dumais**

AN ACT concerning

#### **Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking**

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of the law prohibiting human trafficking; including in the prohibition against human trafficking a prohibition against subjecting a person to involuntary servitude, peonage, debt bondage, or slavery under certain circumstances; creating an Anti-Human Trafficking Fund to be administered by the Executive Director of the Governor's Office of Crime Control and Prevention; specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; specifying certain property that is subject to forfeiture; specifying certain conditions to exclude property from forfeiture; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; specifying certain standards and exceptions regarding the seizure of motor vehicles; requiring a certain law enforcement officer to recommend that a motor vehicle be forfeited under certain circumstances; requiring that a forfeiting authority surrender a motor vehicle on request to the owner under certain circumstances; specifying conditions under which an owner may obtain possession of seized property; specifying the time when seizure of real property occurs; authorizing an owner or owner's tenant to remain in possession of seized real property under certain circumstances; prohibiting an owner of real property from taking certain actions; specifying certain procedures for the conduct of forfeiture proceedings, including the filing of complaints and answers, posting and publishing of notice, and conducting hearings for real property and other property; specifying certain restrictions on forfeiture proceedings on property used as the principal family residence; specifying certain powers of a court in a certain forfeiture proceeding;

requiring a court to issue a certain order after a full hearing under certain circumstances; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; requiring that certain proceeds of the sale of forfeited property be distributed to the Fund for a certain purpose; specifying the terms of sale of forfeited property; specifying the law governing the sale of certain collateral; requiring certain proceeds from the sale of certain property to be distributed in a certain manner; requiring lienholders to take certain actions before exercising the right to sell certain property and after the redemption of certain property; specifying the effect of this Act; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the human trafficking law.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–303  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–910(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–920; and 13–501 through 13–535 to be under the new subtitle  
“Subtitle 5. Violations of the Human Trafficking Law”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 392 – Delegates Hammen, Clippinger, and McHale**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages Licenses – Memorandum of Understanding**

FOR the purpose of requiring the Baltimore City Board of Liquor License Commissioners to make the issuance and renewal of certain alcoholic beverages licenses conditional on the compliance of the license holder with a certain memorandum of understanding; making certain stylistic changes; establishing that the existence of a certain memorandum does not affect any requirement of

any individuals to file a certain protest; and generally relating to the issuance of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–104(a) and (d)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 393 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Feldman, Frick, Frush, Glenn, Gutierrez, Hixson, Hucker, A. Kelly, Lafferty, A. Miller, Mizeur, Niemann, Reznik, S. Robinson, Stein, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Natural Resources – Shark or Elasmobranch Fins – Prohibition on Possession or Distribution**

FOR the purpose of prohibiting a person from possessing, selling, offering for sale, trading, or distributing a shark or other elasmobranch fin; establishing certain civil penalties for violations of this Act; requiring the Department of Natural Resources to adopt regulations to implement this Act; defining a certain term; and generally relating to a prohibition against the possession or distribution of a shark or other elasmobranch fin.

BY adding to  
Article – Natural Resources  
Section 4–747  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 394 – Chair, Health and Government Operations Committee**

AN ACT concerning

**Office of Cemetery Oversight – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; exempting private family cemeteries that do not conduct public sales from certain permitting and registration, perpetual



care, and preneed contract requirements of the Maryland Cemetery Act; altering the membership of the Advisory Council on Cemetery Operations; increasing the number of times the Advisory Council is required to convene each year; authorizing the Director of the Office of Cemetery Oversight or the Director's designee to confer with the Advisory Council or with individual members of the Council on complaint processing and resolution; requiring the Director to include certain information regarding the number of registrants and permit holders in a certain annual report; requiring the Director to provide a copy of certain annual reports to each member of the Advisory Council; requiring the Director, at certain times, to deliver to each member of the Advisory Council certain paperwork; requiring the Advisory Council to respond to issues raised in certain annual reports and develop a plan to study ongoing issues; authorizing a certain registration to be transferred under certain circumstances; requiring a certain annual report to include certain information on the number of inquiries received by the Office; requiring an applicant for a permit to submit certain documentation to the Director; requiring a certain disclosure to be made in a certain manner; repealing an exemption for certain cemeteries from certain provisions of law relating to perpetual care requirements; requiring the Office to provide a report on the implementation of certain recommendations to certain committees of the General Assembly on or before a certain date; requiring the Advisory Council to develop a plan for consumer outreach, study record-keeping practices for cemeteries in a certain manner, and develop a legislative proposal on record-keeping practices; requiring the Director and the Advisory Council to develop certain orientation materials and study the issue of the increasing rate of cremations and its effect on the Office's finances; requiring the Director and a committee formed of members of the Advisory Council to update the Office newsletter and develop a certain plan for updating the newsletter; making stylistic and technical changes; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Office of Cemetery Oversight and the operation of cemeteries and burial goods businesses in the State.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–102(a), 5–201(c), 5–204(b), (i), and (l), 5–305(b), 5–311(h), 5–404, 5–602(a), 5–603(b), 5–702(a), 5–801, and 5–1002

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation

Section 5–204(m) and 5–204.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–602(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(10)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 395 – Delegate Hammen (Chair, Health and Government Operations Committee)**

AN ACT concerning

**State Board of Nursing – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Nursing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain annual report to the General Assembly; specifying the data that must be included in a certain annual report; altering a certain requirement related to the application for a license to practice registered nursing or licensed practical nursing; altering a certain requirement related to the application for certification as a certified nursing assistant; altering the membership of a certain advisory committee; requiring a certain advisory committee to meet at least once during a certain time period; requiring the Board to contract with an independent entity to perform a certain personnel study to be completed on or before a certain date; requiring the Board to report to certain committees of the General Assembly on the implementation and use of certain sanctioning guidelines on or before a certain date; requiring the Board to report to certain committees of the General Assembly on the implementation of certain recommendations; requiring the report to include certain information and a certain plan; making a stylistic change; and generally relating to the State Board of Nursing.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–205(a)(8), 8–304, 8–6A–05(c)(2), 8–6A–13, and 8–802  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(40)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 396 – Delegates Serafini, Afzali, Aumann, Donoghue, Eckardt, Glass, McComas, Norman, Smigiel, and Stocksdale**

AN ACT concerning

**Public Safety – Law Enforcement Handgun Disposal – Deceased Officers**

FOR the purpose of authorizing a law enforcement agency to transfer the handgun of a law enforcement officer who is killed or dies in the performance of duty to certain members of the deceased officer's family or to the deceased officer's estate; authorizing a law enforcement agency to render the handgun of a deceased officer inoperable before transfer; and generally relating to the disposal of handguns by law enforcement agencies.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–501  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 397 – Delegate Dumais**

AN ACT concerning

**Child Support – Criminal Nonsupport and Desertion**

FOR the purpose of specifying that a parent who fails to provide for the support of his or her minor child is guilty of the misdemeanor of criminal nonsupport; repealing from the crime of criminal nonsupport the element of willfulness; establishing a certain defense to the crime of criminal nonsupport; specifying that a parent who deserts his or her minor child is guilty of the crime of criminal desertion of a child; and generally relating to criminal nonsupport and desertion.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–203  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 398 – Delegates Niemann, Afzali, Barnes, Clippinger, Dumais, Frush, Hough, Lee, McDermott, Parrott, Ready, Simmons, Smigiel, Sophocleus, Valderrama, Valentino-Smith, Vallario, and Wilson**

AN ACT concerning

**Wiretapping and Electronic Surveillance – Investigation of Theft Scheme**

FOR the purpose of adding theft offenses committed under one scheme or continuing course of conduct under a certain provision of law to those crimes for which evidence may be gathered by, and a judge may grant an order authorizing, interception of oral, wire, or electronic communications; and generally relating to wiretap and electronic surveillance and theft schemes.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(2) and 10–406(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 399 – Delegates Pena-Melnyk, Bromwell, Cullison, Hubbard, A. Kelly, Kipke, Love, Nathan-Pulliam, and Oaks**

AN ACT concerning

**Health – Cottage Food Businesses – Requirements**

FOR the purpose of providing that a cottage food business is not required, under certain circumstances, to be licensed by the Department of Health and Mental Hygiene; providing that the owner of a cottage food business may sell only cottage food products that are stored on certain premises and prepackaged with a certain label; requiring the owner of a cottage food business to comply with certain county and municipal laws and ordinances; authorizing the Department to investigate certain complaints; authorizing a representative of the Department to enter and inspect, under certain circumstances, the premises of a cottage food business for a certain purpose; prohibiting the owner of a cottage food business from refusing to grant certain access to the premises and interfering with a certain inspection; providing that a person who violates this Act is not subject to certain penalties; providing that certain provisions of this Act do not exempt a cottage food business from certain tax laws; providing for the application of this Act; defining certain terms; altering certain definitions; and generally relating to cottage food businesses.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–301(a) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 21–301(b–1) and (b–2) and 21–330.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(g) and (h) and 21–1214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 400 – Delegate Dumais**

AN ACT concerning

#### **Child Support – Adjusted Actual Income – Multifamily Adjustment**

FOR the purpose of altering the definition of “adjusted actual income” under the State child support guidelines; providing for the calculation of a certain allowance required to be deducted from adjusted actual income under the child support

guidelines; requiring that the amount of a certain allowance be subtracted from a parent's actual income before the court determines the amount of a child support award; repealing a factor the court may consider in determining whether the application of the child support guidelines would be unjust or inappropriate in a particular case; and generally relating to child support.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 12–201(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–201(c), 12–202(a), and 12–204(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 401 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages – Refillable Containers**

FOR the purpose of creating in Baltimore City a refillable container license; authorizing the Board of Liquor License Commissioners to issue the license to a holder of a Class B beer and light wine or a Class B beer, wine and liquor license issued for a restaurant; specifying that a holder of the license may sell beer for consumption off the licensed premises in a certain refillable container to a certain individual; prohibiting a holder of a license from displaying or providing shelving for beer for off-premises consumption; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain advertising, posting of notice, and public hearing requirements be met; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to exercise the privileges of the license only if the licensed premises is open for business as a restaurant; authorizing the Board to adopt certain regulations; making a technical change; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 1–102(a)(1) and (22) and 8–203(a) and (b)  
Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–203(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 12–113(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 402 – Delegate Beitzel**

AN ACT concerning

#### **Environment – Dormant Mineral Interests – Termination by Court Order Requirements**

FOR the purpose of requiring a court order that terminates a certain dormant mineral interest to identify certain information; requiring a clerk of the court that issued a certain order to record the order in the land records; and generally relating to the termination of dormant mineral interests.

BY repealing and reenacting, without amendments,

Article – Environment  
Section 15–1201  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 15–1203(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 403 – Delegate Beitzel**

AN ACT concerning

**Real Property – Natural Gas and Oil Leases – Recordation Requirement –  
Intake Sheet**

FOR the purpose of prohibiting a clerk of court from recording an instrument that effects a certain real property lease dealing in natural gas and oil unless the instrument is accompanied by a complete intake sheet; and generally relating to the recordation of real property leases dealing in natural gas and oil.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–104(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 404 – Delegates Kaiser, Kipke, Cane, Frush, Howard, Jameson,  
McComas, Reznik, B. Robinson, Schulz, and Summers**

AN ACT concerning

**Higher Education – Edward T. Conroy Memorial Scholarship Program –  
Eligibility**

FOR the purpose of altering the eligibility requirements for the Edward T. Conroy Memorial Scholarship Program to include the surviving spouse of a certain disabled veteran; repealing certain provisions that limit the types of veterans who qualify for a scholarship under the Edward T. Conroy Memorial Scholarship Program; and generally relating to eligibility for the Edward T. Conroy Memorial Scholarship Program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–601(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 405 – Chair, Health and Government Operations Committee (By  
Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Program Evaluation Act – Revisions**



FOR the purpose of repealing a function of the Legislative Policy Committee relating to the Maryland Program Evaluation Act; repealing the authority of the Committee to waive as unnecessary certain evaluations; repealing the requirement that an evaluation of certain governmental activities or units and the statutes and regulations that relate to those activities or units be performed; repealing the requirement that the Department of Legislative Services prepare certain preliminary evaluation reports of certain governmental activities or units; repealing the requirement that certain governmental activities or units provide the Department with certain information; repealing the requirement that certain evaluations be conducted by certain evaluation committees; repealing the requirement that certain committees be appointed; repealing the requirement that certain evaluation committees consult with the Department and prepare a certain plan for evaluation; altering the date by which the Department must submit an evaluation report of a governmental activity or unit to the General Assembly; altering the required contents of certain evaluation reports; altering the date by which certain committees of the General Assembly must hold certain public hearings; requiring certain committees of the General Assembly rather than certain evaluation committees to submit a certain report to the General Assembly; altering the recommendations that must be included in certain reports; requiring the Office of Policy Analysis in the Department to annually solicit certain ideas for certain research activities; requiring the Office to propose a certain research agenda to the President of the Senate and the Speaker of the House based on certain criteria; requiring the Office to implement a certain research agenda as approved by the President of the Senate and the Speaker of the House; requiring the Office to present certain findings and recommendation to certain committees of the General Assembly; requiring certain entities to provide certain information and cooperate with the Department to carry out certain requirements; authorizing certain information to be provided to the Department in a certain format; requiring the Department to follow certain confidentiality procedures; repealing the termination provisions applicable to certain governmental activities and units subject to the Maryland Program Evaluation Act; defining certain terms; and generally relating to the Maryland Program Evaluation Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 2–401 and 8–402

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–407(a), 8–401, and 8–408 through 8–413

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

## BY repealing

Article – State Government  
Section 8–403 through 8–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

## BY adding to

Article – State Government  
Section 8–403, 8–407, and 8–408  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Agriculture  
Section 2–316 and 2–719  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Business Occupations and Professions  
Section 2–702, 3–702, 4–702, 5–702, 6–702, 6.5–502, 7–602, 8–602, 9–702;  
10–218 and the part “Part III. Termination of Subtitle”; 11–802, 12–702,  
14–602, 15–702, 16–802, 17–702; 18–701 and the subtitle “Subtitle 7.  
Termination of Title”; and 21–502  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Business Regulation  
Section 3–601 and the subtitle “Subtitle 6. Termination of Title”; 4–208, 5–1002,  
7–502, 8–718, 8–802, 9A–602, and 11–1102  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Environment  
Section 11–502, 12–602, and 13–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Financial Institutions  
Section 2–401 and the subtitle “Subtitle 4. Termination of Certain Provisions”  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

## BY repealing

## Article – Health Occupations

Section 1A-502, 2-502, 3-602, 5-502, 8-6B-29, 9-502, 10-502, 11-602, 13-502, 14-5A-25, 14-5B-21, 14-5C-25, 14-5D-20, 14-5E-25, 15-502, 16-602, 17-702, 18-502, 19-502, and 20-502

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Labor and Employment

Section 2-109, 3-706, 4-405, 5-607, and 11-402

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

## BY repealing

Article – Public Safety

Section 12-842 and 12-919

Annotated Code of Maryland

(2011 Replacement Volume)

## BY repealing

Article – State Finance and Procurement

Section 17-203(l)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

## BY renumbering

Article – Labor and Employment

Section 3-707 through 3-711, 5-608, and 11-403 through 11-408, respectively to be Section 3-706 through 3-710, 5-607, and 11-402 through 11-407, respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

**House Bill 406 – Delegates Pena-Melnyk, Frush, and Barnes**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Laurel Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 407 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

FOR the purpose of repealing a restriction that limits a certain gaming licensee in Dorchester County from holding a gaming event or carnival on a Sunday; and generally relating to Sunday charitable gaming in Dorchester County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1202 and 13–1203(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1204  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 408 – Delegates Reznik, Bohanan, Branch, Costa, Donoghue, Jameson, Kipke, Krebs, McDonough, Nathan–Pulliam, Oaks, Pena–Melnik, Tarrant, V. Turner, and Wood**

AN ACT concerning

**Health Occupations – Imaging and Radiation Therapy  
Services – Accreditation**

FOR the purpose of altering the definition of “in–office ancillary services” as it relates to certain referrals by certain health care practitioners so as to exclude magnetic resonance imaging services, computed tomography scan services, and radiation therapy services unless certain conditions are met; altering certain exceptions to certain patient referral prohibitions; requiring a certain written statement to include certain information about health care entities that provide magnetic resonance imaging services, computed tomography scan services, and radiation therapy services under certain circumstances; requiring health care

entities that provide magnetic resonance imaging services, computed tomography scan services, or radiation therapy services on or after a certain date to be accredited by certain organizations; requiring a health care entity that becomes accredited to maintain its accreditation, provide services in conformity with certain standards, and make available evidence of its accreditation; defining a certain term; and generally relating to the provision of magnetic resonance imaging services, computed tomography scan services, and radiation therapy services.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–301, 1–302, and 1–303

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 1–701 to be under the new subtitle “Subtitle 7. Accreditation of Business Entities That Furnish Magnetic Resonance Imaging Services, Computed Tomography Scan Services, and Radiation Therapy Services”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 409 – Delegates Pena–Melnyk, Barnes, Braveboy, Burns, Frush, Hubbard, Jameson, Kramer, Lee, Rudolph, Vaughn, and Wilson**

AN ACT concerning

**Public Service Commission – LED Street Lighting Equipment**

FOR the purpose of requiring the Public Service Commission to adopt regulations or to issue orders to require or allow certain electric companies to offer LED street lighting to certain local governments; defining certain terms; and generally relating to LED street lighting equipment and local governments.

BY adding to

Article – Public Utilities

Section 7–211.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 410 – Delegate Costa**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Anne Arundel County –  
Deale Elementary School Baseball Fields**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of the grant for the Deale Elementary School Baseball Fields to authorize a grant for the Southern Middle School Baseball Fields, located in Lothian; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(M) and Item ZA02(H)

Read the first time and referred to the Committee on Appropriations.

**House Bill 411 – Delegates Anderson, Alston, Braveboy, Carter, Clippinger, Conaway, Gaines, Glenn, Haynes, Howard, Jones, McDermott, Nathan–Pulliam, Oaks, Pena–Melnik, B. Robinson, Smigiel, Stukes, Tarrant, V. Turner, Vallario, Vaughn, Waldstreicher, Walker, Washington, and Zucker**

AN ACT concerning

**DNA Evidence – Postconviction Review – Continuation of Reforms**

FOR the purpose of authorizing a certain person to file a petition for a search by a law enforcement agency of a law enforcement data base or log for the purpose of identifying the source of certain physical evidence; authorizing a certain petitioner to move for a new trial on a certain ground; requiring a court to order a DNA data base search under certain circumstances; requiring a court to order a new trial under certain circumstances; authorizing the court to order a new trial under certain circumstances; authorizing the court to release a petitioner on bond or on certain conditions in certain circumstances; requiring the court to hold a certain hearing to determine a certain issue in certain circumstances; requiring the court to enter a certain order and infer certain results under certain circumstances; requiring a court ordering a certain postconviction hearing to open the postconviction hearing under a certain provision of law under certain circumstances; requiring a court ordering a certain postconviction hearing to reopen the postconviction hearing under a certain provision of law under certain circumstances; authorizing a certain appeal; providing for the effective date of this Act; and generally relating to postconviction review of DNA evidence.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 8–201  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 337 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 412 – Delegate O’Donnell**

AN ACT concerning

#### **Agriculture – Sewage Sludge – Timing of Winter Application**

FOR the purpose of requiring the Department of Agriculture to adopt regulations establishing criteria for the timing of the winter application of sewage sludge that are the same as or substantially similar to the criteria adopted for the timing of the winter application of animal manure; providing for a delayed effective date; and generally relating to the timing of the winter application of sewage sludge.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 8–803.1(e) and (f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–804(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 413 – Delegate O’Donnell**

AN ACT concerning

#### **Public Officials – Chauffeured Transportation Services**

FOR the purpose of providing that public officials may not request the Department of State Police to provide chauffeured transportation services for them for any purpose; providing that public officials may not request the Department to provide an officer or employee of the Department to provide chauffeured transportation services for them for any purpose; providing that public officials may not require employees under their control to perform chauffeured

transportation services for any purpose by using certain vehicles; providing that a certain provision of this Act does not apply to the Governor and the Lieutenant Governor; providing for certain circumstances under which the prohibitions of this Act do not apply; providing that members of the General Assembly may not request the use of the personnel and vehicles assigned by the Department to the Legislative Security Force for chauffeured transportation services, subject to certain exceptions; defining a certain term; and generally relating to the provision of chauffeured transportation services for public officials.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 8–505  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 414 – Delegates Serafini, Beitzel, Fisher, George, Glass, Impallaria, K. Kelly, W. Miller, Myers, Norman, O'Donnell, Szeliga, and Weir**

AN ACT concerning

**State Highway Administration – Permits – Business Access to State Highways**

FOR the purpose of requiring the State Highway Administration to make a final determination whether to issue a permit to grant access from certain business property to a State highway within a certain time period; specifying that the Administration is deemed to have issued the permit if the Administration fails to act within a certain time period; specifying that the State Highway Administrator may extend the time period for the Administration to act on the permit request under certain circumstances; and generally relating to a request for a permit for access to a State highway from business property.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–625  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Environmental Matters.

**House Bill 415 – Delegates Serafini, Afzali, Glass, and McComas**

AN ACT concerning

**State Highway Administration – Signs on Highway Rights-of-Way – Permits**

FOR the purpose of establishing that a certain prohibition relating to the placement and maintenance of signs on State highway rights-of-way does not apply to a sign for which a certain permit has been issued; authorizing the State Highway Administration to issue a certain permit for a sign located within a State highway right-of-way under certain circumstances; and generally relating to permits for signs on State highway rights-of-way.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8-605(f) and 8-715  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 416 – Allegany County Delegation and Garrett County Delegation**

AN ACT concerning

**Allegany and Garrett Counties – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Allegany County and Garrett County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Allegany County and Garrett County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12-304  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 417 – Delegates Jones, Burns, and Nathan-Pulliam**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Children’s Home Therapeutic Group Home Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of the Children’s Home, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 418 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Paper Gaming – Taxes**

FOR the purpose of authorizing the Allegany County Board of County Commissioners to impose certain paper gaming taxes based on a certain range of gross profits minus the costs of paper gaming products instead of a set percentage; and generally relating to gaming in Allegany County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–302(i)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 419 – Delegate Bohanan**

AN ACT concerning

**Creation of a State Debt – Calvert County – Calvert Marine Museum Exhibition Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Calvert Marine Museum Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 420 – Washington County Delegation**

AN ACT concerning

**Washington County – Assault – Global Positioning Satellite Tracking Pilot Program**

FOR the purpose of expanding the global positioning satellite tracking system pilot program in Washington County to authorize the court, if the court suspends the sentence of a certain defendant convicted of first or second degree assault, to order the defendant to be supervised by active electronic monitoring as a condition of probation under certain circumstances; authorizing the court to order a certain defendant to be supervised by active electronic monitoring for the duration of probation; authorizing the court to order a certain defendant to maintain a landline telephone number during the duration of the active electronic monitoring under certain circumstances; extending the termination date for provisions of law concerning the global positioning satellite tracking system pilot program in Washington County; altering a certain date on or before which abrogation of this Act does not terminate the obligation of a defendant to comply with an order entered by a court under this Act; and generally relating to a global positioning satellite tracking system pilot program in Washington County.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–221(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 464 of the Acts of 2010  
Section 3 and 4

Read the first time and referred to the Committee on Judiciary.

**House Bill 421 – Delegate Feldman**

AN ACT concerning

**Workers' Compensation – Death Benefits – Determination of Benefits**

FOR the purpose of altering the calculation of workers' compensation death benefits for a dependent of a deceased covered employee who died due to an occupational

disease; and generally relating to workers' compensation death benefits for dependents of covered employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–683.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 422 – Delegates Kaiser, Zucker, and Luedtke**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Woodlawn Barn Visitor's Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of the Montgomery County Parks Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 423 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Agricultural Preservation Advisory Board – Membership**

FOR the purpose of altering the membership of the agricultural preservation advisory board in St. Mary's County to require that at least a certain number of members are actively pursuing the production of agricultural products for profit; and generally relating to the membership of the agricultural preservation advisory board in St. Mary's County.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–504.1(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 2–504.1(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 424 – Chair, Health and Government Operations Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Comptroller – Monitoring and Recording of Telephone Calls – Training and Quality Assurance**

FOR the purpose of authorizing the Comptroller of the State to manage the monitoring and recording of certain telephone calls for certain purposes; requiring monitored telephone calls to contain a certain notice; and generally relating to the monitoring of telephone calls by the Comptroller.

BY adding to

Article – Tax – General  
Section 2–114  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 425 – Delegates S. Robinson, Arora, Barkley, Barve, Carr, Clippinger, Cullison, Gilchrist, Gutierrez, Holmes, Hucker, Kach, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Otto, Reznik, Summers, Washington, Wilson, and Zucker**

AN ACT concerning

**Procurement – Required Disclosure – Conflict Minerals Originated in the Democratic Republic of the Congo**

FOR the purpose of prohibiting a unit of State government from procuring supplies or services from persons that fail to disclose in a certain manner as required by federal law certain information relating to conflict minerals that originated in the Democratic Republic of the Congo or its neighboring countries; requiring a unit of State government to provide notice of the prohibition in any solicitation for supplies or services; defining certain terms; and generally relating to required disclosure of information related to conflict minerals originated in the Democratic Republic of the Congo or its neighboring countries.

BY adding to

Article – State Finance and Procurement  
Section 14–413  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 426 – Delegates Hubbard and Gaines**

AN ACT concerning

**Medical Assistance Program – Health Care for Mothers, Children, Seniors,  
and Individuals with Disabilities – Pilot Program**

FOR the purpose of establishing a certain pilot program to enhance Maryland Medical Assistance Program services; requiring the Secretary of Health and Mental Hygiene to administer the pilot program; requiring the pilot program to provide certain services to a certain number of individuals; requiring the pilot program to include the development of a certain system, certain care coordination and programs, a network of certain practitioners and hospitals, and the development of a certain training institute; requiring the pilot program to achieve certain results within a certain time period; requiring the Department to provide certain funding, if available, and to apply for a certain demonstration or waiver and for certain grants, if necessary; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to a pilot program to provide health care to mothers, children, seniors, and individuals with disabilities in the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 15–101(a) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 15–147  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 427 – Chair, Appropriations Committee (By Request –  
Departmental – Higher Education Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Program Review – Approval**

FOR the purpose of requiring the Maryland Higher Education Commission to approve or disapprove certain proposals submitted by an institution of postsecondary education for a new program or a substantial modification of an existing program under certain circumstances; prohibiting institutions of postsecondary education from implementing a new program or a substantial modification of an existing program without prior approval of the Commission; repealing the authority of the Commission to review and make recommendations on certain program proposals; and generally relating to institutions of postsecondary education and program review and approval by the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–206(a) and (b) and 11–206.1(a) and (f)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Education

Section 11–206(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY renumbering

Article – Education

Section 11–206(e)

to be Section 11–206(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 428 – Delegates DeBoy and Malone**

AN ACT concerning

**Creation of a State Debt – Baltimore County – William Donald Schaefer  
Memorial Garden**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Charlestown Community, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 429 – Delegates Schuh, Costa, Dwyer, George, Kipke, McConkey, McMillan, and Vitale**

AN ACT concerning

**Sales and Corporate Income Tax Relief  
(Better Maryland – Tax Relief)**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; altering the rate of the sales and use tax; providing for the termination of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; providing for the application of this Act; and generally relating to the Maryland corporate income tax and sales and use tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–105(b), 10–105(b), 11–104(a) and (b), and 11–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–105(b), 11–104(a) and (b), and 11–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)  
(As enacted by Section 2 of this Act)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 430 – Delegates Schuh, Costa, Dwyer, George, Kipke, McConkey, and Vitale**

AN ACT concerning

**Public Safety – Handgun Permits – Repeal of Finding Requirement  
(Better Maryland – Right of Self Defense)**



FOR the purpose of repealing 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 a certain handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 431 – Delegate Hogan**

AN ACT concerning

#### **Vehicle Laws – Use of School Bus Monitoring Cameras**

FOR the purpose of altering the requirements for a recorded image taken by a school bus monitoring camera by expanding the types of license plates that the image may include; altering the defined term “recorded image” by repealing the requirement that an image may show only the rear of a motor vehicle; authorizing certain persons in certain counties to place school bus monitoring cameras on all school buses in the county; making a technical correction; and generally relating to the use of school bus monitoring cameras.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–706.1(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–706.1(a)(4), (c), and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 432 – Delegate Donoghue**

#### **EMERGENCY BILL**

AN ACT concerning

**Maryland Medical Assistance Program – Provider–Based Outpatient  
Oncology Centers – Reimbursement**

FOR the purpose of requiring the Maryland Medical Assistance Program to reimburse provider–based outpatient oncology centers for certain services at a certain reimbursement rate; requiring the Department of Health and Mental Hygiene to adopt certain regulations; prohibiting the Department from making payments for certain invoices that are received after a certain date; defining a certain term; making this Act an emergency measure; and generally relating to reimbursement rates for services provided by provider–based outpatient oncology centers to Maryland Medical Assistance Program recipients.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–105  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 433 – Delegates Beidle, Davis, Frush, Glenn, Healey, Lafferty, Niemann, S. Robinson, Vaughn, and Wilson**

AN ACT concerning

**Maryland Common Interest Community Managers Act**

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and meetings of the Board; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board on or before a certain date before the individual may act as a common interest community manager in the State; establishing certain qualifications, training requirements, and experience requirements for a license; establishing application requirements for licenses; requiring certain licensees to maintain certain bank accounts in a certain manner; authorizing the Board to establish certain regulations to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain notice and hearing provisions; authorizing

the Board to impose a certain fine under certain circumstances; requiring certain common interest community associations to register annually with and provide certain information to the Board; requiring the Board to charge a certain annual registration fee; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary of Labor, Licensing, and Regulation, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations; prohibiting a fee established by the Board from being increased by more than a certain percentage annually; defining certain terms; providing for the application of this Act; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms of the initial members of the Board; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community managers.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (33), respectively

to be Section 2–108(a)(11) through (34), respectively

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(13) through (68), respectively

to be Section 8–403(b)(14) through (69), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 22–101 through 22–502 to be under the new title “Title 22. Common Interest Community Managers”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation

Section 2–106.9, 2–106.10, and 2–108(a)(10)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 434 – Delegate O’Donnell**

AN ACT concerning

#### **Sales and Use Tax – Sales of Dyed Diesel Fuel**

FOR the purpose of providing that for the sale of certain diesel fuel the sales and use tax is to be applied to a certain percentage of the gross receipts; defining certain terms; creating a collection exception for certain diesel fuel sales by certain marinas; requiring certain marinas to assume or absorb the sales and use tax imposed on a retail sale or use and to pay the sales and use tax on behalf of the buyer; and generally relating to the sales and use tax on certain sales of certain diesel fuel by certain marinas.

BY adding to

Article – Tax – General  
Section 11–104(h) and 11–410  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 11–302  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 435 – Delegate Beidle**

AN ACT concerning

#### **Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title**

FOR the purpose of authorizing an application for a salvage certificate submitted by an insurance company to be accompanied by a certain affidavit of ownership and certain evidence of final payment instead of a certificate of title if the

certificate of title is defective, lost, or destroyed; and generally relating to required documentation in an application for a salvage certificate.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–506(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 436 – Delegate Reznik**

AN ACT concerning

#### **Medical Records – Authorization to Disclose – Person in Interest**

FOR the purpose of altering the definition of “person in interest”, as it relates to the disclosure of confidential medical records, to include the spouse, parent, or child of a deceased person under certain circumstances; requiring a certain person in interest to include a certain affidavit with a certain authorization for the disclosure of certain medical records; and generally relating to the authorization to disclose medical records to a person in interest.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–301(l) and 4–303  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 437 – Delegate Malone**

AN ACT concerning

#### **Local States of Emergency – Time Period – Extension**

FOR the purpose of altering a certain time period that a local state of emergency may continue or be renewed without the consent of the local governing body; and generally relating to declarations of local states of emergency.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–111  
Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 438 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Barve, Bobo, Bromwell, Busch, Cardin, Carr, Clagett, Clippinger, Cullison, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Niemann, Pena–Melnik, Pendergrass, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Simmons, Stein, Summers, Tarrant, F. Turner, Valderrama, Waldstreicher, Washington, and Zucker**

AN ACT concerning

### **Civil Marriage Protection Act**

FOR the purpose of altering a provision of law establishing that only certain marriages are valid in this State; making stylistic and conforming changes in certain provisions of law prohibiting marriages within certain degrees of relationship; prohibiting certain officials from being required to solemnize or officiate a particular marriage or religious rite of a marriage in violation of a certain constitutional right; establishing that certain religious entities have exclusive control over their own theological doctrine, policy teachings, or beliefs regarding who may marry within that faith; prohibiting certain officials from being subject to any fine or penalty for failing or refusing to join individuals in marriage; prohibiting certain religious entities from being required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual under certain circumstances; providing that a certain refusal by a certain religious entity or an individual employed by a certain religious entity may not create a civil claim or cause of action or result in any State action to penalize, withhold benefits from, or discriminate against such entities or individuals; prohibiting certain fraternal benefit societies from being required to admit an individual as a member or provide insurance benefits to an individual under certain circumstances; providing that a certain refusal by a certain fraternal benefit society may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from the fraternal benefit society; providing for the construction of this Act; and generally relating to valid marriages and religious freedom.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–201 and 2–202

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

**House Bill 439 – The Speaker (By Request – Administration) and Delegates Nathan–Pulliam, Cardin, Cullison, Hammen, Hixson, Holmes, Howard, Hubbard, Lee, Mizeur, Morhaim, Pena–Melnik, Ross, and V. Turner**

AN ACT concerning

**Maryland Health Improvement and Disparities Reduction Act of 2012**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to designate certain areas as Health Enterprise Zones in a certain manner; specifying the purpose of establishing Health Enterprise Zones; requiring the Department, in consultation with the Community Health Resources Commission, to adopt certain regulations; authorizing certain nonprofit community–based organizations or local government agencies to apply to the Commission on behalf of certain areas for designation as Health Enterprise Zones; establishing certain procedures and requirements in connection with the application process; requiring the Commission to make certain recommendations to the Secretary; authorizing the Secretary to limit the number of areas designated as Health Enterprise Zones; requiring the Commission and Secretary to give priority to applications in a certain manner; authorizing certain licensed health care providers who practice in the Health Enterprise Zones to receive certain benefits; authorizing certain nonprofit community–based organizations or local government agencies to receive certain grants; requiring the Commission and the Department to submit certain annual reports; allowing a credit against the State income tax for certain health care providers who practice in Health Enterprise Zones under certain circumstances; allowing certain nonprofit community–based organizations or local government agencies to assign certain tax credits; requiring the Department to certify to the Comptroller the applicability of the credit for each health care provider and the amount of each credit assigned; limiting the amount of the credits allowed for a fiscal year; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring a certain evaluation system to establish and incorporate a certain set of measures regarding racial and ethnic variations in quality and outcomes and include certain information on certain actions taken relating to health disparities; requiring a certain community benefit report to include certain information relating to health disparities; requiring certain institutions of higher education to make a certain annual report to the Governor and the General Assembly relating to health disparities; requiring the Health Services Cost Review Commission and the Maryland Health Care Commission to conduct a certain study and report to the Governor and General Assembly on or before a certain date; requiring the Maryland Health Quality and Cost Council to convene a certain workgroup and issue a certain report on or before a certain date; defining certain terms; providing for the application of

certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to health improvement and the reduction of health disparities.

BY adding to

Article – Health – General

Section 20–904; and 20–1401 through 20–1406 to be under the new subtitle  
“Subtitle 14. Health Enterprise Zones”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–134(c) and 19–303(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 440 – The Speaker (By Request – Administration) and Delegates Reznik, Hammen, Jones, Mizeur, and Rosenberg**

AN ACT concerning

**Procurement – Investment Activities in Iran**

FOR the purpose of requiring the Board of Public Works, on or before a certain date, to use certain information to create a list of persons that engage in investment activities in Iran; requiring the Board to update the list at certain times; requiring the Board, within a certain number of days before adding a person to the list, to provide the person with certain notice; prohibiting the Board from adding a person to the list under certain circumstances; requiring a unit to require a certain person to certify that the person is not included on a certain list; requiring a person that is unable to certify that the person does not engage in certain investment activities in Iran to provide a certain description of its investment activities; requiring certain certifications and disclosures to be publicly disclosed; requiring a unit to provide a certain person that may have falsely certified that the person does not engage in certain investment activities with certain notice that the person may submit certain documentation to the unit within a certain time frame; authorizing a unit to determine that a person



has submitted a false certification under certain circumstances; establishing certain penalties that may be imposed on a person that submits a false certification; prohibiting a unit from awarding a procurement contract to a person that submits a false certification; authorizing a unit to terminate a certain contract with a person that submitted a false certification; providing for the debarment of a certain person under certain circumstances; providing for the application of this Act; establishing that this Act preempts certain local laws; defining certain terms; and generally relating to persons that engage in investment activities in Iran and the State procurement law.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(a), (d), (k), and (x)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 13–501 through 13–505 to be under the new subtitle “Subtitle 5.  
Investment Activities in Iran”; and 16–203(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 441 – The Speaker (By Request – Administration) and Delegates  
Hucker, Barnes, Barve, Bobo, Cardin, Frush, Hubbard, Jones, Mizeur,  
Ross, Stein, and Waldstreicher**

AN ACT concerning

### **Maryland Offshore Wind Energy Act of 2012**

FOR the purpose of altering the Maryland renewable energy portfolio standard program to include a certain amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio standard that represents offshore wind energy from applying to certain sales in excess of a certain amount of industrial process load; altering the definition of “renewable energy credit” for purposes of the renewable energy portfolio standard program; requiring an electricity supplier to exclude certain retail electricity sales before calculating the number of credits required under the renewable portfolio standard; providing that certain provisions concerning the transfer of renewable energy credits do not apply to certain offshore wind renewable energy credits; authorizing a person to submit to the Public Service Commission an application for approval of a proposed offshore wind project; specifying the application period and authorizing the Commission to provide for additional application

periods; requiring the Commission to approve, conditionally approve, or deny an application within a certain time; providing for the contents of an application; requiring the Commission to use certain criteria to evaluate and compare proposed offshore wind projects; prohibiting the Commission from approving an offshore wind project unless certain criteria are met; requiring the Commission to contract the services of independent consultants and experts when evaluating and comparing proposed offshore wind projects and when calculating a proposed offshore wind project's net benefits to the State; requiring that an order approving a proposed offshore wind project include certain information, restrictions, and conditions; providing that a certain order vests the owner of a qualified offshore wind project with a certain right; requiring the Commission to determine the offshore wind energy component of the renewable portfolio standard based on certain projections and requiring electricity suppliers to purchase a certain number of offshore wind renewable energy credits; requiring the Commission to adopt regulations establishing a certain escrow account; requiring a certain overpayment to be refunded to ratepayers, subject to certain reserve requirements, under certain circumstances; requiring a qualified offshore wind project to sell certain energy, capacity, and ancillary services into certain markets and distribute the proceeds to electric companies to be refunded or credited to ratepayers; requiring the Commission to adopt certain regulations regarding the creation of excess offshore wind renewable energy credits; providing that certain provisions regarding certain compliance fees do not apply to a shortfall from the offshore wind renewable energy credit requirement; providing that certain provisions authorizing a delay of certain scheduled Tier 1 credits do not apply to offshore wind renewable energy credits; exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; providing that an application for a certificate of public convenience and necessity to construct certain energy lines is subject to certain review; prohibiting the construction or installation of certain energy lines within a certain area; requiring the Commission to provide certain notice to the Maryland Energy Administration for certain purposes; authorizing the Commission to implement a special assessment not to exceed a certain amount in certain fiscal years for certain purposes; authorizing the Commission to implement a special assessment in certain fiscal years to recover certain costs; defining certain terms; making the provisions of this Act severable; and generally relating to the Maryland renewable energy portfolio standard program, development of offshore wind energy projects, and qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–208, 7–701, 7–703, 7–704(e), and 7–705(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities

Section 7-704.1 and 7-704.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7-705(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8-1102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 442 – The Speaker (By Request – Administration) and Delegates  
Davis, Feldman, Frick, Mizeur, and Washington**

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –  
Maryland Innovation Initiative**

FOR the purpose of establishing the Maryland Innovation Initiative in the Maryland Technology Development Corporation; establishing the membership, qualifications, and the requirements for participation in the Initiative; establishing the purpose of the Initiative; providing for the funding of the Initiative and requiring funds to be used only for certain financial assistance and administrative expenses; authorizing the Initiative to award grants to certain entities under certain circumstances; authorizing the members of the Initiative to establish a certain committee with a certain membership and certain duties; requiring the Board of Regents of the University System of Maryland to undertake certain high impact economic development activities; requiring the Board of Regents to adopt certain policies and procedures related to certain high impact economic development activities; authorizing a University System of Maryland institution to establish, invest in, finance, or operate a certain entity that supports high impact economic development activity and authorizing certain employees to participate in the entity; requiring the Corporation and the Board of Regents to provide certain reports that include certain information; altering the amount and the types of contracts required for a certain Board of Public Works review; defining certain terms; making stylistic changes; and generally relating to economic development, the commercialization of technology in the State, and the Maryland Innovation Initiative.

BY adding to

Article – Economic Development

Section 10–454 through 10–459 to be under the new part “Part V. Maryland Innovation Initiative”

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY adding to

Article – Education

Section 12–104.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 12–113

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Appropriations.

**House Bill 443 – The Speaker (By Request – Administration) and Delegates Barnes, Gaines, Griffith, Hammen, Haynes, Huckler, Jones, Morhaim, Pena–Melnik, Pendergrass, Proctor, V. Turner, and Waldstreicher**

AN ACT concerning

### **Maryland Health Benefit Exchange Act of 2012**

FOR the purpose of requiring the Maryland Health Benefit Exchange to make certain qualified dental plans available to certain individuals and employers in a certain manner and on or before a certain date; requiring the Exchange to establish and implement certain navigator programs; authorizing the Exchange to enter into certain agreements or memoranda of understanding with another state under certain circumstances; requiring the Exchange to seek to achieve a certain enrollment and use a certain market impact to pursue certain objectives; authorizing the Exchange to employ certain alternative contracting options and active purchasing strategies under certain circumstances; providing that the SHOP Exchange shall be a separate insurance market within the Exchange for

small employers and may not be merged with the individual market of the Individual Exchange; requiring the SHOP Exchange to be designed in a certain manner; requiring the SHOP Exchange to allow qualified employers to designate a certain coverage level or carrier for a certain purpose; authorizing the SHOP Exchange to reassess and modify the design of the SHOP Exchange under certain circumstances; establishing certain navigator programs for the SHOP Exchange and the Individual Exchange; establishing certain requirements for the navigator programs; authorizing a SHOP Exchange navigator and an Individual Exchange navigator to take certain actions; establishing certain duties of a SHOP Exchange navigator and an Individual Exchange navigator; prohibiting a SHOP Exchange navigator and an Individual Exchange navigator from taking certain actions; establishing a certain licensing process and qualifications for SHOP Exchange navigators; requiring the SHOP Exchange and the Exchange to establish and administer certain insurance producer authorization programs; requiring the SHOP Exchange and the Exchange to develop, implement, and update certain training programs; requiring the Exchange to establish and administer a certain Individual Exchange navigator certification program; establishing certain qualifications for certification as an Individual Exchange navigator; authorizing the Maryland Insurance Commissioner to take certain disciplinary actions against certain individuals under certain circumstances; requiring the Commissioner, the Exchange, the SHOP Exchange, and the Individual Exchange to adopt certain regulations; providing that certain provisions of this Act do not require certain programs to provide certain financial support to the Individual Exchange for certain services; requiring certain financing arrangements between the Exchange and certain programs to be governed by a certain memorandum of agreement; requiring the Exchange to certify certain dental plans as qualified dental plans; altering certain requirements for certification as a qualified health plan; authorizing the Exchange to establish additional requirements for qualified dental plans under certain circumstances; providing for the selection of the State benchmark plan; providing for the implementation and operation of certain reinsurance and risk adjustment programs; requiring the Exchange to establish a certain fraud, waste, and abuse detection and prevention program; prohibiting certain health insurance carriers from offering certain health benefit plans in the small group market or the individual market under certain circumstances; authorizing the Commissioner, in consultation with the Exchange, to assess the impact of certain exemptions and alter the exemptions based on the assessment; requiring certain health insurance carriers to offer a certain catastrophic plan in the Exchange; defining certain terms; altering certain definitions; making certain stylistic and clarifying changes; providing for the construction of certain provisions of this Act; requiring the Exchange to conduct certain studies, in consultation with certain entities and persons, and report certain findings and recommendations to the Governor and the General Assembly on or before certain dates; establishing a certain joint legislative and executive committee; requiring the committee to conduct a certain study, in consultation with certain entities and stakeholders, of financing mechanisms for the Exchange and to report its findings and recommendations to the Governor

and the General Assembly on or before a certain date; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY renumbering

Article – Insurance  
Section 31–110  
to be Section 31–118  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 15–1204, 15–1303, 31–101, 31–102(d), 31–108, 31–109, and 31–111  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Insurance  
Section 31–109 through 31–114, 31–116, and 31–117  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, and Schulz**

AN ACT concerning

### **Family Farm Preservation Act of 2012**

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; limiting the Maryland estate tax imposed on certain agricultural property above a certain amount; defining certain terms; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 445 – The Speaker (By Request – Administration) and Delegates  
Bobo, Carr, Feldman, Frush, Gaines, Glenn, Hucker, Lafferty,  
McIntosh, Niemann, S. Robinson, and Rosenberg**

AN ACT concerning

**Sustainable Growth and Agricultural Preservation Act of 2012**

FOR the purpose of altering the contents of certain elements that are required in a certain plan; prohibiting the approval of a residential major subdivision if a local jurisdiction has established certain tiers unless a planning board reviews and recommends the approval under certain circumstances; establishing the requirements for the review of a residential major subdivision by a planning board; requiring a planning board to hold a certain hearing under certain circumstances; requiring a planning board to publish a certain notice in a certain manner; requiring a planning board to provide copies of a proposed major subdivision to certain units and jurisdictions within a certain period of time; requiring a planning board to recommend a proposed major subdivision in a certain manner; requiring a planning board to send a certain resolution and certain documents to the Department of the Environment and the Department of Planning under certain circumstances; establishing certain requirements for the approval of a residential subdivision plat by the Department of the Environment, or the Department's designee; authorizing a local jurisdiction to request a verification of a certain overall yield under certain circumstances; requiring the Department of Planning to verify a certain overall yield after consultation with the Maryland Sustainable Growth Commission; requiring the Department of the Environment to submit a certain subdivision plat to the Department of Planning for certain advice; prohibiting the Department of the Environment from approving a major residential subdivision under certain circumstances on or before a certain date; requiring a local jurisdiction to notify the Department of Planning under certain circumstances; prohibiting the subdivision or resubdivision of a certain tract or parcel of land or a minor residential subdivision under certain circumstances on or after a certain date; requiring the subdivision plat of a residential minor subdivision to state certain information; authorizing the subdivision or resubdivision of a certain tract or parcel of land or a minor residential subdivision under certain circumstances on or after a certain date; establishing certain requirements for the approval of a shared facility or community sewerage system; defining certain terms; requiring the Department of the Environment to adopt regulations to require certain residential subdivisions to receive a permit; establishing the intent of the General Assembly; providing for the application of certain provisions of this Act; providing for the construction of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions

of this Act; and generally relating to the subdivision of land and planning for growth.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–206  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1110  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.00, 1.03, 1.04(b)(1)(iv), and 3.05(a)(4)(ii)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article 66B – Land Use  
Section 1.04(a) and 3.05(a)(4)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article 66B – Land Use  
Section 1.04(b)(5), 1.05, and 3.05(a)(9)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–206(a)(10), (b)(2)(iv), and (d)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 1–401, 1–407, 3–103, and 5–104  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General  
Assembly of 2012)



BY repealing and reenacting, without amendments,

Article – Land Use

Section 1–405 and 3–101(a)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General Assembly of 2012)

BY adding to

Article – Land Use

Section 5–104

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 5–104

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 446 – The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Niemann, S. Robinson, and Rosenberg**

AN ACT concerning

**Environment – Bay Restoration Fund – Fees**

FOR the purpose of increasing certain Bay Restoration Fees paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks beginning on a certain date; providing for the collection of the fees by certain billing authorities under certain circumstances; repealing certain obsolete language; and generally relating to increasing Bay Restoration Fees.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(b)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 447 – Delegates Reznik and Morhaim**

AN ACT concerning

**Procurement – Electronics Recycling Services**

FOR the purpose of prohibiting a unit from contracting for services to recycle covered electronic devices unless the contractor meets certain requirements; defining certain terms; providing for the application of this Act; and generally relating to the procurement of electronics recycling services.

BY adding to

Article – State Finance and Procurement

Section 14–413

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 448 – Delegates Morhaim and Reznik**

AN ACT concerning

**Procurement – Preferences – Computer Purchasing and Electronics Recycling**

FOR the purpose of requiring a State unit to purchase computers that are listed on the Electronic Product Environmental Assessment Tool registry when purchasing computers for use by the State; requiring a State unit to award a procurement contract to a certain certified electronics recycler when awarding a procurement contract for electronics recycling services; and generally relating to the procurement preferences for computer purchasing and electronics recycling.

BY adding to

Article – State Finance and Procurement

Section 14–413 and 14–414

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 449 – Delegate Morhaim**

AN ACT concerning

**Health Care Decisions by Surrogates – Donations of Nonvital Organs**

FOR the purpose of authorizing a person that is authorized to make health care decisions for another under a certain provision of law to authorize the donation of a nonvital organ of a patient under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to health care decisions by surrogates.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 5–605(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 5–605(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 450 – Delegates Hogan, Beidle, Bobo, Carr, Glenn, Healey, Holmes, Jacobs, Lafferty, McMillan, Niemann, Norman, O'Donnell, Otto, Stein, Vitale, Weir, and Wilson**

AN ACT concerning

**Residential Real Property Sales – Property Tax Disclaimer**

FOR the purpose of requiring that a certain form developed by the State Real Estate Commission in connection with the sale of residential real property contain a notice stating the possibility of there being significant differences in the property tax bill previously paid by the seller of the property and the property tax bill of the buyer of the property; and generally relating to sales of residential real property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 10–702(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 451 – Delegates Schuh, Costa, Dwyer, George, Kipke, McConkey,  
McMillan, and Vitale**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Election Law – Legislative Districting and Apportionment Commission  
(Better Maryland – Nonpartisan Redistricting)**

FOR the purpose of proposing an amendment to the Maryland Constitution to alter the process of legislative districting and apportionment in the State by establishing a Legislative Districting and Apportionment Commission; providing for the membership, qualifications, chair, and duties of the Commission; requiring the Commission to establish rules and procedures; making Commission meetings and records subject to State law governing open meetings and public records; requiring the Commission to file a final report within a certain period of time with the Secretary of State; providing for the removal of a Commission member under certain circumstances; specifying a process for filling a vacancy on the Commission; providing for the dissolution of the Commission; requiring the Attorney General to petition the Court of Appeals to review the Commission's final report and make certain determinations; requiring the Commission to prepare an amended plan under certain circumstances; requiring the Court of Appeals to take certain actions with respect to the Commission's report under certain circumstances; specifying that the Commission shall have staff and other resources as provided in the State budget; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing a repeal of the Maryland Constitution  
Article III – Legislative Department  
Section 5

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 5

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 452 – Delegates Howard, Aumann, Bates, Burns, Cane, George, Glenn, Ivey, Krebs, McComas, McDermott, Otto, Parrott, Smigiel, Summers, and Wood**

AN ACT concerning

**Election Law – Days of Early Voting**

FOR the purpose of altering the days on which early voting centers are open before regularly scheduled primary and general elections; and generally relating to the days on which early voting occurs.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 453 – Delegate Niemann**

AN ACT concerning

**Courts and Judicial Proceedings – Criminal Injuries Compensation Fund –  
Court Costs**

FOR the purpose of requiring the imposition of certain court costs if a defendant is sentenced to probation before judgment for or pleads nolo contendere to a certain crime or offense; and generally relating to court costs deposited into the Criminal Injuries Compensation Fund.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–819(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(b), (c), and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(e) and (f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 454 – Delegate Niemann**

AN ACT concerning

#### **Real Property – Maryland Contract Lien Act – Foreclosures**

FOR the purpose of providing that a lien under the Maryland Contract Lien Act may be enforced and foreclosed by the party who obtained the lien in the same manner, and subject to the same requirements, as the foreclosure of certain mortgages or deeds of trust on nonresidential property in this State; and generally relating to foreclosures under the Maryland Contract Lien Act.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 455 – Delegate Walker**

AN ACT concerning

#### **Sales and Use Tax – Snack Food – Application**

FOR the purpose of specifying that a certain exemption from the sales and use tax does not apply to certain snack food; repealing a certain exemption from the sales and use tax for certain snack food; providing that the sales and use tax does not apply to the sale of a certain product through vending machines; defining a certain term; and generally relating to the application of the sales and use tax to snack food.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–206  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 456 – Delegates Reznik, Mizeur, Kipke, Donoghue, A. Kelly, and Ready**

AN ACT concerning

**Small Business Reserve Program – Definition of Small Business – Revision**

FOR the purpose of altering the definition of “small business” under the Small Business Reserve Program under the State procurement law; including small businesses that meet either the limitation on employees employed by the business or the limitation on gross sales of the business under the Small Business Reserve Program; and general relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–501(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–501(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 457 – Delegate Howard**

AN ACT concerning

**Transportation – Highway Construction Training and Supportive Services**

FOR the purpose of requiring the State Highway Administration to use the maximum amount of certain federal funds available under a certain provision of federal law for highway construction training and supportive services, including skill improvement programs; requiring the Administration to submit a certain report by a certain date each year to certain committees of the General Assembly; requiring the report to include certain information; defining a certain term; and generally relating to the use of federal funds for highway construction training.

BY repealing and reenacting, without amendments,  
Article – Transportation

Section 8–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 8–508  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 458 – Delegates Schuh, Costa, George, Kipke, McConkey,  
McMillan, and Vitale**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**State Officials – Limitation of Terms  
(Better Maryland – Term Limits)**

FOR the purpose of proposing an amendment to the Maryland Constitution to impose a certain limit on the number of consecutive terms that a person may serve in the office of Senator or Delegate in the General Assembly, Attorney General, Comptroller, or Treasurer; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 6

BY proposing an amendment to the Maryland Constitution  
Article V – Attorney–General and State’s Attorneys  
Section 1

BY proposing an amendment to the Maryland Constitution  
Article VI – Treasury Department  
Section 1

Read the first time and referred to the Committee on Rules and Executive Nominations.

**MESSAGE FROM THE SENATE**



**FIRST READING OF SENATE BILLS****Senate Bill 33 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs**

FOR the purpose of updating certain obsolete language by authorizing a certain organization to obtain a certain license from the County Council of Dorchester County under certain circumstances; updating certain obsolete language by requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the mayor and city council of a city or town under certain circumstances; requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the Finance Department of Dorchester County under certain circumstances; and generally relating to the distribution of Class C beer, wine and liquor license fees paid by organizations in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 34 – Senator Colburn**

AN ACT concerning

**Talbot County – Zoning Regulations – Enforcement**

FOR the purpose of authorizing the legislative body of Talbot County to provide by local law for an administrative proceeding to enforce certain zoning regulations; allowing the local law to include certain authority to impose certain fines and penalties for zoning violations; and generally relating to the enforcement of zoning regulations in Talbot County.

BY adding to

Article – Land Use

Section 9–1801 and 9–1802 to be under the new subtitle “Subtitle 18. Talbot County”

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

### **Senate Bill 37 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Water and Sewer Service – Late Fees**

FOR the purpose of authorizing the sanitary district in Dorchester County to charge a certain late fee for certain unpaid usage charges related to certain water, sewerage, or solid waste projects; authorizing the sanitary commission in Dorchester County to require the payment of certain late fees before reconnecting with certain water service; providing that when a certain charge is in default it will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges in Dorchester County.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–601(a), (d), (j), and (k) and 9–662(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–662(n)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **Senate Bill 44 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

FOR the purpose of authorizing the Dorchester County ~~Commissioners~~ Council to collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary District; and generally relating to the collection of the Bay Restoration Fee.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(d)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(d)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **Senate Bill 45 – Senator Colburn**

AN ACT concerning

### **Dorchester County – Alcohol Awareness Program – Certificate of Completion**

FOR the purpose of prohibiting the use of a certificate of completion of a certain alcohol awareness program by certain employees or certain employers at more than one licensed establishment in Dorchester County; and generally relating to the use of a certificate of completion of an alcohol awareness program in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 13–101(a), (b), (c)(1), (d), (e), (f), and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 13–101(h)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

## **PETITIONS, MEMORIALS AND OTHER PAPERS**

Pursuant to Article XI, Section 7 of the Maryland Constitution the following Resolutions were presented to and approved by a majority of the members of the General Assembly representing Baltimore City.

## BALTIMORE CITY BOND RESOLUTIONS

(See Exhibit E of Appendix II)

Read and ordered journalized.

**JOINT SESSION**

Delegates Washington and Costa escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Senate Roll Call No. 103A)

Speaker Busch called for the House roll.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 50)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators Gladden, Raskin and Reilly and Delegates Olszewski, Pena–Melnik and Hogan escorted the Chief Executive to the Speaker’s Rostrum.

Speaker Busch presented the Chief Executive of Maryland, Governor Martin O’Malley.

The Chief Executive addressed the General Assembly.

**STATE OF THE STATE ADDRESS**

REMARKS OF GOVERNOR MARTIN O’MALLEY

(See Exhibit F of Appendix II)

Senator Madaleno moved the Chief Executive’s remarks be journalized.

The motion was adopted.

Senators Gladden, Raskin and Reilly and Delegates Olszewski, Pena–Melnik and Hogan escorted the Chief Executive from the Chamber.

Senator Madaleno moved the Senate be adjourned.

The motion was adopted.

Delegate Barve moved the Chief Executive’s remarks be journalized.

The motion was adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 51)

### **ADJOURNMENT**

At 12:52 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 2, 2012.

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**Annapolis, Maryland**  
**Thursday, February 2, 2012**

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The House met at 10:15 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tony McConkey of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 52)

The Journal of February 1, 2012 was read and approved.

**EXCUSES:**

Del. Alston – doctor’s appointment  
Del. Beidle – business  
Del. Burns – wife’s illness  
Del. Carter – business  
Del. Donoghue – doctor’s appointment  
Del. Griffith – illness  
Del. Hucker – business  
Del. W. Miller – business  
Del. B. Robinson – personal  
Del. F. Turner – illness

**INTRODUCTION OF BILLS**

**House Bill 459 – Delegates Alston and Vallario**

AN ACT concerning

**Task Force to Study Joint Custody of Children**

FOR the purpose of establishing a Task Force to Study Joint Custody of Children; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on

or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Joint Custody of Children.

Read the first time and referred to the Committee on Judiciary.

**House Bill 460 – Delegates Rosenberg and Waldstreicher**

AN ACT concerning

**Criminal Procedure – Search Warrant – Location of Mobile Communications Device**

FOR the purpose of requiring a law enforcement officer to obtain a search warrant under a certain provision of law before obtaining location information transmitted by a mobile communications device; and generally relating to search warrants.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 1–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 461 – Washington County Delegation**

AN ACT concerning

**Washington County – Amusement Devices – Tip Jars**

FOR the purpose of altering the definition of “amusement device” as it relates to the operation and regulation of amusement devices in Washington County to include a game activated by an object or other consideration of value; altering the definition of “gross profits” as it relates to the operation of a tip jar in Washington County to require the deduction of the cost of a gaming sticker; and generally relating to the operation and regulation of amusement devices and tip jars in Washington County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–202  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law

Section 13–2435  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 462 – Delegate Kach**

AN ACT concerning

**Vehicle Laws – Accidents – Tests for Alcohol, Drugs, or Controlled Dangerous Substances**

FOR the purpose of requiring a person to submit to certain tests for alcohol, drugs, or controlled dangerous substances if the person is detained by a police officer who has reasonable grounds to believe that the person contributed to causing a motor vehicle accident that resulted in the death of, or a life-threatening injury to, another person; authorizing a police officer to direct that blood be withdrawn from a person for a certain test under certain circumstances; altering the issues that may be considered at a certain hearing; altering the grounds on which the Motor Vehicle Administration may base certain actions after a certain hearing; and generally relating to certain motor vehicle accidents and tests for alcohol, drugs, or controlled dangerous substances.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(c)(1), (d)(1), and (f)(7)(i) and (8)(i), (ii), and (iii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 463 – Delegate Rudolph**

AN ACT concerning

**Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms**

FOR the purpose of prohibiting a person from preparing or issuing or requiring the preparation or issuance of a certificate of insurance unless the certificate of insurance form has been filed with and approved by the Maryland Insurance Commissioner; providing a certain exception; requiring the Commissioner to disapprove a certificate of insurance form or withdraw approval of a certificate of insurance form under certain circumstances; prohibiting a person from altering or modifying a certificate of insurance; requiring the Commissioner to



adopt certain regulations; and generally relating to certificates of insurance and certificate of insurance forms.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–116  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 464 – Delegate Rudolph**

AN ACT concerning

#### **Agriculture – Total Maximum Daily Load – Regulations**

FOR the purpose of prohibiting the Department of Agriculture, the Department of the Environment, and the Department of Natural Resources from adopting certain regulations unless certain states achieve or exceed certain percentage reductions of certain nutrients that the State has achieved under certain circumstances; and generally relating to the Total Maximum Daily Load for the Chesapeake Bay and the agricultural sector.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–803.9  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 465 – Delegate Hammen**

AN ACT concerning

#### **Health Insurance – Health Benefit Plan Premium Rate Review**

FOR the purpose of prohibiting a carrier that issues or delivers a health benefit plan in the State from charging a premium to certain persons or changing a premium before the applicable premium rate or premium rate change is filed with and approved by the Maryland Insurance Commissioner; requiring any applicable premium rate or premium rate change to be filed with the Commissioner at least a certain period of time before its proposed effective date; requiring the Commissioner to require a carrier to provide certain information under certain circumstances; extending the period of time before the proposed effective date of a premium rate filing under certain circumstances; authorizing the

Commissioner to authorize an earlier or later effective date of a premium rate filing; providing that a premium rate filing is deemed approved unless disapproved by the Commissioner within a certain period of time; requiring the Commissioner to disapprove or modify a proposed premium rate filing under certain circumstances; requiring the Commissioner to consider certain factors in determining whether to disapprove or modify a premium rate filing; requiring each premium rate filing and any supporting information filed to be open to public inspection; authorizing a person to obtain copies of a premium rate filing and any supporting information; authorizing the Commissioner to require a carrier to demonstrate that its premium rates and method for setting premium rates for a health benefit plan are not excessive in relation to benefits, notwithstanding the Commissioner's previous approval; requiring the Commissioner to issue a certain order to a carrier under certain circumstances; requiring the Commissioner to hold a hearing before issuing a certain order and to provide written notice of the hearing; providing that an order does not affect a certain health benefit plan; providing that each decision or finding of the Commissioner about premium rates is subject to judicial review; providing that a nonprofit health service plan and a health maintenance organization that offer a certain health benefit plan are subject to certain provisions of law; establishing the provisions of law that prevail if there is a conflict between certain provisions of law; providing for the application of this Act; defining certain terms; and generally relating to health benefit plan premium rate review under health insurance.

BY adding to

Article – Insurance

Section 11–601 through 11–603 to be under the new subtitle “Subtitle 6. Health Benefit Plan Premium Rate Review”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–126(a)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–713(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 466 – Delegate Rudolph**

AN ACT concerning

**Creation of a State Debt – Cecil County – Jacob Tome Gas House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Mayor and Town Council of Port Deposit for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 467 – Delegate McDonough**

AN ACT concerning

**Local Jurisdictions – Prohibition on Receiving State Public Safety Funds –  
Nonparticipation in Federal Secure Communities Program**

FOR the purpose of prohibiting the State from providing funds for public safety purposes to any local jurisdiction that does not participate in the Department of Homeland Security's Secure Communities Program; and generally relating to participation in the Secure Communities Program.

Read the first time and referred to the Committee on Judiciary.

**House Bill 468 – Delegates Kach, Aumann, Boteler, Cardin, Frank, Lafferty,  
and Olszewski**

AN ACT concerning

**Maryland Environmental Trust – Conservation Easements – Land Draining  
into Reservoirs**

FOR the purpose of requiring the trustees of the Maryland Environmental Trust to consider an offer to donate a conservation easement on land that drains into a reservoir in the State without regard to the size of the property; and generally relating to the Maryland Environmental Trust and conservation easement donations.

BY adding to

Article – Natural Resources  
Section 3–203.2

Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 469 – Delegates Waldstreicher, Anderson, Barkley, Dumais, Glenn, Lee, Malone, McDermott, Simmons, and Smigiel**

AN ACT concerning

**Punitive Damages – High-Risk Drunk Drivers**

FOR the purpose of authorizing a finder of fact to determine that a person with a certain alcohol concentration in the blood or breath of the person who causes personal injury or wrongful death while driving or attempting to drive a motor vehicle was acting with malice and to award punitive damages under certain circumstances; requiring a party who seeks to recover punitive damages under this Act to plead certain facts with particularity; providing for a standard of proof of clear and convincing evidence for a claim of punitive damages under this Act; providing that punitive damages under this Act may not be awarded in the absence of an award of compensatory damages; providing that evidence of a defendant's financial means is not admissible until there has been a finding of liability and that punitive damages under this Act are supportable under the facts; authorizing a motor vehicle insurer to exclude coverage for an award of punitive damages under this Act; providing that an exclusion of certain coverage for punitive damages does not constitute a reduction in coverage by a motor vehicle liability insurer; defining a certain term; providing for the application of this Act; and generally relating to authorizing a finder of fact to determine that a person who causes personal injury or wrongful death while driving or attempting to drive with a certain alcohol concentration in the blood or breath of the person was acting with malice and to award punitive damages under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings  
Section 10-913.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 470 – Delegates Tarrant, Cullison, Hubbard, Krebs, Morhaim, Murphy, Nathan-Pulliam, and Reznik**

AN ACT concerning

**Maryland Health Care Commission – Preauthorization of Medical Services  
and Pharmaceuticals – Standards**

FOR the purpose of requiring the Maryland Health Care Commission to adopt regulations to establish standards for the preauthorization of medical services and pharmaceuticals by certain payors, pharmacy benefits managers, and providers; requiring certain standards to include a certain exemption process; providing that certain standards may include certain penalties; and generally relating to the Maryland Health Care Commission and certain preauthorization standards.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 19–108.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 471 – Delegates O’Donnell, Beidle, Bobo, Cane, Carr, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Jacobs, Lafferty, Malone, McMillan, Niemann, Norman, Otto, S. Robinson, Stein, Vitale, Weir, and Wilson**

AN ACT concerning

**Ethics Law – Soliciting the Employment of Lobbyist**

FOR the purpose of prohibiting a State official or public official from directly or indirectly initiating a solicitation for a person to retain the services of a particular regulated lobbyist or lobbying firm; and generally relating to the regulation of conduct by State and public officials under the Maryland Public Ethics Law.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–102(bb), (ff), and (ll)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 472 – Delegates McIntosh and Feldman**

AN ACT concerning

#### **Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund**

FOR the purpose of establishing the Lead Poisoning Compensation Fund; establishing the purposes of the Fund; establishing a Board of Trustees of the Fund; providing for the membership of the Board; establishing the duties of the Board; providing for the appointment of an Executive Director of the Fund; establishing the powers and duties of the Executive Director; providing for the appointment and removal of staff; requiring certain owners of residential rental property to pay a Lead Poisoning Compensation Fee; establishing the amount of and manner of collection of the fee; establishing that the Fund consists of certain money; providing for the uses of the Fund; establishing that the Fund is not a part of the State Treasury and that the debts and obligations of the Fund are not a debt or pledge of credit of the State; providing for the management and investment of the Fund; providing for auditing of the Fund; requiring the Fund to provide coverage for certain claims to certain persons; authorizing certain persons to obtain coverage from the Fund by paying a certain fee; authorizing the Fund to provide coverage only if a claim is not covered by any other source of insurance or indemnity; requiring the Executive Director to settle, compromise, or defend claims against the Fund; authorizing the Executive Director to authorize certain employees to record certain telephone conversations under certain circumstances; providing for the establishment and review of certain reserves; limiting the maximum amount payable by the Fund; including employees and officials of the Fund in the definition of “State personnel” for purposes of the Maryland Tort Claims Act; defining certain terms; specifying the terms of the initial members of the Board of Trustees of the Fund; and generally relating to reducing lead risk in housing and providing compensation for injuries arising out of lead poisoning.

BY adding to  
Article – Insurance  
Section 32–101 through 32–502 to be under the new title “Title 32. Lead  
Poisoning Compensation Fund”  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 12–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

### **House Bill 473 – Delegate McDonough**

AN ACT concerning

#### **Municipal Corporations – Elections – Voter Qualifications**

FOR the purpose of prohibiting an individual who is not a citizen of the United States from voting in an election in any municipal corporation; providing that this Act makes null and void any provision in the charter of any municipal corporation that allows an individual other than a citizen of the United States to vote in an election in the municipal corporation; and generally relating to voter qualifications in municipal elections.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–102  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 474 – Delegates Dwyer, Afzali, Aumann, Bates, Beitzel, Boteler, Burns, Cluster, DeBoy, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Ricchio, Hershey, Hough, Impallaria, Jacobs, Jameson, Kach, K. Kelly, Krebs, McComas, McConkey, McDermott, McDonough, W. Miller, Minnick, Myers, Norman, O’Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Sophocleus, Stifler, Stukes, Szeliga, Vitale, Weir, and Wood**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Marriage Protection Act**

FOR the purpose of adding a new section to the Maryland Constitution to establish that marriage between one man and one woman shall be the only domestic legal union valid or recognized in this State; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article XV – Miscellaneous  
Section 8

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

**House Bill 475 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Redistricting Board – Revisions**

FOR the purpose of requiring a Redistricting Board to be appointed in St. Mary’s County following each decennial census of the United States; requiring the Board to be appointed between certain dates and in the year following each decennial census; requiring the Board to be composed of certain appointees; requiring a certain County Commissioner to appoint a person to fill a certain vacancy; requiring each member of the Board to be a registered voter and a resident of St. Mary’s County; prohibiting a certain person from serving as a member of the Board; requiring the Board to propose a certain redistricting plan; requiring the Board to elect a chair and hold certain meetings; authorizing the Board to solicit advice from certain experts, hold public forums, and request that the Board of County Commissioners of St. Mary’s County provide certain assistance; requiring that the proceedings and records of the Board comply with certain laws; requiring the Board to conduct certain public hearings; specifying



that notice of certain hearings be given in accordance with certain requirements; requiring the Board to prepare and submit a redistricting plan to the Board of County Commissioners by a certain date and after public hearings have been held; specifying that a redistricting plan becomes effective for a certain election a certain number of days after the plan is submitted to the Board of County Commissioners; providing that a Board appointed before a certain date is conclusively presumed to have been lawfully constituted and that a certain redistricting plan is conclusively presumed to have become law; and generally relating to the Redistricting Board in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County

Section 26-2

Article 19 – Public Local Laws of Maryland

(2007 Edition and January 2011 Supplement, as amended)

BY adding to

The Public Local Laws of St. Mary's County

Section 26-2

Article 19 – Public Local Laws of Maryland

(2007 Edition and January 2011 Supplement, as amended)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 476 – Delegates Hammen, McHale, and Clippinger (By Request – Baltimore City Administration) and Delegates Anderson, Branch, Conaway, Glenn, Haynes, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Vehicle Height Monitoring Systems**

FOR the purpose of authorizing and establishing requirements for the use of certain vehicle height monitoring systems in Baltimore City to enforce certain State and local laws restricting vehicle height; establishing that a vehicle height monitoring system may be used under this Act only if its use is authorized by an ordinance adopted by the Baltimore City Council; requiring Baltimore City to conduct a certain analysis and obtain a certain approval before it places a vehicle height monitoring system at a particular location; requiring Baltimore City to take certain steps related to notice before activating a vehicle height monitoring system; providing that certain persons recorded by a vehicle height monitoring system while operating a motor vehicle or a combination of vehicles in violation of a State or local law restricting vehicle height are subject to certain penalties; establishing a certain maximum fine for a violation of law enforced by means of a vehicle height monitoring system under this Act;

requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation; requiring the Baltimore City Police Department or the Baltimore City Department of Transportation to mail a citation to the owner of a motor vehicle recorded by a vehicle height monitoring system under certain circumstances; requiring a citation to include certain information; authorizing the sending of a warning instead of a citation; requiring a citation to be mailed within certain a period of time; authorizing a person who receives a citation under this Act to pay the civil penalty in a certain manner or to elect to stand trial in the District Court; providing for the admissibility and use of certain evidence; authorizing a person receiving citations to have a certain vehicle height monitoring system operator be present and testify at trial; establishing the standard of proof in a trial for a violation of law enforced by a vehicle height monitoring system under this Act; establishing defenses that the District Court may consider; requiring a person to submit a certain proof in order to demonstrate a certain defense; prohibiting imposition of liability under this Act from being considered for certain purposes; requiring the Chief Judge of the District Court, in consultation with the Baltimore City Police Department, to adopt certain procedures; requiring the Baltimore City Police Department or the Baltimore City Department of Transportation, or a designated contractor, to administer citations issued under this Act in coordination with the District Court; prohibiting the fee of a contractor who operates a vehicle height monitoring system on behalf of Baltimore City to be contingent on the number of citations issued or paid; modifying the jurisdiction of the District Court to include certain proceedings; providing for the handling of certain court costs and penalties; prohibiting the custodian of recorded images produced by a vehicle height monitoring system from allowing inspection of the recorded images, subject to certain exceptions; restricting and providing for the use of certain revenues generated by this Act; defining certain terms; making a stylistic change; and generally relating to imposing liability on certain owners of motor vehicles recorded while being operated in violation of a State or local law restricting vehicle height.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(13), 7–301(a), 7–302(e), and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 11–215(e) and 11–318(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(o)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 24–111.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 26–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 477 – Delegates Waldstreicher and Dumais**

AN ACT concerning

#### **Maryland Uniform Collaborative Law Act**

FOR the purpose of enacting the Maryland Uniform Collaborative Law Act; establishing requirements for a collaborative law participation agreement and the collaborative law process; specifying the relationship between the collaborative law process and the judicial process; establishing standards applicable to collaborative lawyers; establishing standards for the disclosure of information during the collaborative law process; authorizing parties to agree on the scope of confidentiality of collaborative law communications; establishing an evidentiary privilege for certain collaborative law communications and providing for certain waivers of and limited exceptions to the evidentiary privilege; authorizing a court or certain other body to enforce agreements that result from a collaborative process and to apply certain provisions of this Act; defining certain terms; making the provisions of this Act severable; providing for the construction and application of this Act; and generally relating to the Maryland Uniform Collaborative Law Act.

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–1801 through 3–1821 to be under the new subtitle “Subtitle 18.  
Maryland Uniform Collaborative Law Act”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 478 – Delegates Jacobs, Boteler, Eckardt, Glass, Haddaway–Ricchio, Hershey, McDermott, Smigiel, and Weir**

AN ACT concerning

**Natural Resources – Removal of Abandoned Fishing Nets**

FOR the purpose of requiring the Department of Natural Resources to remove from the waters of the State and dispose of any abandoned fishing net found by or reported to the Department within a certain time period; and generally relating to abandoned fishing nets in the waters of the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–205  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 479 – Delegates Niemann, Ivey, and Summers**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Colmar Manor Police Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Colmar Manor for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 480 – Delegates Braveboy, Jameson, Alston, Barnes, Carter, Frush, Gaines, Holmes, Howard, Pena–Melnyk, Proctor, Ross, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, and Walker**

AN ACT concerning

**Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction**

FOR the purpose of authorizing a law enforcement agency to make a certain request to a certain State's Attorney to have a certain unexecuted warrant, summons, or other criminal process invalidated and destroyed under certain circumstances; requiring the State's Attorney to petition a certain administrative judge for the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process; authorizing the State's Attorney to argue against the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process under certain circumstances; providing for the manner in which a court may order the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process; prohibiting an arrest from being made under the authority of a certain warrant or other criminal process; authorizing the State's Attorney to enter a nolle prosequi or place a certain case on the stet docket at a certain time; providing for the application of this Act; and generally relating to the invalidation and destruction of unexecuted warrants, summons, or other criminal processes.

BY adding to

Article – Criminal Procedure

Section 4–109

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 481 – Delegates Lafferty, Kach, Aumann, Boteler, DeBoy, Frank, Impallaria, McDonough, and Morhaim**

AN ACT concerning

**Baltimore County – Elected School Board**

FOR the purpose of establishing a procedure for the election of certain members of the Baltimore County Board of Education; repealing certain provisions governing the appointment of members of the Baltimore County Board of Education; requiring the elected members of the county board to reside in, be a registered voter in, and be elected from certain districts; establishing a certain term of office for the elected members; specifying that a member may not be elected to serve for more than a certain number of consecutive terms; providing for the removal of members under certain circumstances; providing a procedure for filling a vacancy for an elected member on the county board; providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; providing for a School Board Redistricting Commission for Baltimore County; specifying the membership, appointment process, powers and duties, staffing, and termination of the Commission; providing for the termination of the terms of the appointed members of the county board; making certain conforming nomenclature

changes; and generally relating to the election of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–109 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 through 3–2A–09 to be under the new subtitle “Subtitle 2A.  
Baltimore County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

#### **House Bill 482 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

##### **Creation of a State Debt – Prince George’s County – City of Seat Pleasant Public Works Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and Common Council of the City of Seat Pleasant for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

#### **House Bill 483 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

##### **Creation of a State Debt – Prince George’s County – Labor of Love Learning Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Community Outreach and Development Corporation in Prince George’s County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a

matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 484 – Delegates Simmons and Frick**

AN ACT concerning

**Criminal Law – Animal Cruelty – Payment of Costs**

FOR the purpose of authorizing a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–606, 10–607, and 10–608  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 485 – Delegate Simmons**

AN ACT concerning

**Family Law – Child Custody – Interim Custody or Visitation Order**

FOR the purpose of authorizing a party to file with the court a motion for an interim custody or visitation order under certain circumstances; requiring a party who files a motion for an interim custody or visitation order to file with the motion a certain certificate; specifying the contents of the certificate; requiring the court to hold a hearing on the motion within a certain period of time under certain circumstances; requiring the court to determine interim custody or visitation in accordance with the best interest of the child under certain circumstances; establishing that an interim custody or visitation order remains in effect until it is superseded by a certain order; and generally relating to an interim custody or visitation order.

BY adding to  
Article – Family Law  
Section 9–109  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 486 – Delegates Jacobs, Bates, Boteler, Cluster, Eckardt, Frank, Glass, Haddaway–Ricchio, Hershey, Hogan, McComas, McConkey, McDermott, W. Miller, Norman, Otto, Schuh, Schulz, Smigiel, Stocksdale, and Vitale**

AN ACT concerning

**Environment – Watershed Implementation Plan – Ranking Best Management Practices**

FOR the purpose of requiring, on or before a certain date, the Department of the Environment to develop a certain list of certain best management practices in a certain manner; authorizing the Department to include certain information in the list; requiring the Department to update the list annually; requiring the Department to publish the list on the Department’s Web site and to mail hard copies to each county in the State; and generally relating to best management practices under the State Watershed Implementation Plan.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 487 – Delegates Jacobs, Aumann, Bates, Boteler, Cluster, Eckardt, Frank, Glass, Haddaway–Ricchio, Hershey, Hogan, McComas, McConkey, McDermott, Norman, Otto, Ready, Schulz, Smigiel, Stocksdale, Szeliga, and Vitale**

AN ACT concerning

**Environment – Watershed Implementation Plan – County Implementation**

FOR the purpose of providing that a local jurisdiction may not be required to implement certain activities or strategies of a State Watershed Implementation Plan unless certain funding is provided; defining certain terms; and generally relating to the local implementation of certain activities or strategies of a State Watershed Implementation Plan.

BY adding to



Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 488 – Delegates Impallaria, Afzali, Bates, Beitzel, Boteler, Cluster, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Hough, James, Kach, Kipke, Krebs, McComas, McConkey, McDonough, W. Miller, Minnick, Myers, Norman, O’Donnell, Parrott, Ready, Schulz, Serafini, Stifler, Stocksdale, Szeliga, and Weir**

AN ACT concerning

**Public Safety – Handgun Permits – Repeal of Finding Requirements**

FOR the purpose of repealing 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 a certain handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 489 – Delegate Kipke**

AN ACT concerning

**Public Safety – Boiler and Pressure Vessel Safety Inspection – Exceptions**

FOR the purpose of excluding certain pressure vessels from the requirement that each boiler and pressure vessel in the State be inspected, tested, and maintained in a safe operating condition; and generally relating to boiler and pressure vessel safety.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–901(a) and (l) and 12–909(d)(1)  
Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–909(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 490 – Delegate Stukes**

AN ACT concerning

#### **Tax Sales – Payment to Redeem Foreclosed Property**

FOR the purpose of authorizing the holder of a tax sale certificate to be reimbursed for certain postage and mailing expenses that are actually incurred if the property is redeemed before an action to foreclose a right of redemption is filed; requiring a certain notice of foreclosure to include language indicating that certain postage and mailing expenses are expenses included in the amount necessary to redeem the property if the property is redeemed before an action to foreclose a right of redemption is filed; and generally relating to tax sales.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–833(a–1)(3) and 14–843(a)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 14–843(a)(1), (2), and (4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 491 – Delegate Stukes**

AN ACT concerning

#### **Tax Sales – Reimbursement for Attorney’s Fees**

FOR the purpose of providing that a plaintiff or holder of a certificate of sale in a foreclosure action may be reimbursed for reasonable attorney’s fees for certain participation in a bankruptcy proceeding or for opening an estate for certain

purposes; providing that a plaintiff or holder of a certificate of sale in a foreclosure action may be reimbursed for certain expenses incurred for opening an estate for certain purposes; and generally relating to tax sales of property.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 14–833(a) and (a–1)(1) and (3)(vi)4.  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–843(a)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 492 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough, Mitchell, Parrott, Simmons, and Valentino–Smith**

AN ACT concerning

**Criminal Procedure – Bail Bonds – Cash Bail**

FOR the purpose of authorizing in circuit courts and in the District Court “cash bail” or “cash bond” to be posted in the form of cash, surety bond, or property bond by the defendant or by a private surety acting for the defendant; requiring “cash bail” or “cash bond” to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant’s failure to pay support to certain individuals; providing for the repeal of laws inconsistent with this Act; and generally relating to bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–203 and 5–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 493 – Delegates Simmons and Kramer**

AN ACT concerning

**Task Force to Study Economic Development and Apprenticeships**

FOR the purpose of establishing the Task Force to Study Economic Development and Apprenticeships; providing for the composition, chair, and staffing of the Task Force; establishing the duties of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Economic Development and Apprenticeships.

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 494 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Raffles**

FOR the purpose of repealing in Frederick County a certain limitation on the number of certain raffles that may be held on a single day; authorizing the Board of County Commissioners of Frederick County to determine the number of permits to conduct a raffle that certain organizations in Frederick County may receive in a calendar year; and generally relating to raffles in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1304(a) and (b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1304(f)(2)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–1304(f)(4)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 495 – Delegates Impallaria, Bates, Boteler, Cluster, DeBoy, Dwyer, Elliott, Glass, Hough, McComas, McDonough, Minnick, and Olszewski**

AN ACT concerning

**Election Law – Voting by Registered Offenders at Polling Places –  
Prohibition**

FOR the purpose of prohibiting certain registered offenders from voting at certain polling places on election day or at certain early voting centers; authorizing certain registered offenders who are prohibited from voting at certain polling places or early voting centers to vote at certain early voting centers or by absentee ballot; requiring the supervising authority of certain registered offenders to give written notice and explain the requirements of this Act when a registrant registers; repealing a provision of law authorizing certain registered offenders to enter school property for the purpose of voting on election day; requiring the supervising authority of certain registered offenders to give written notice of the requirements of this Act to each offender who is registered on the date this Act takes effect; providing that the State Board of Elections and local boards of elections are not required to take any action to implement or administer this Act; and generally relating to prohibiting certain registered offenders from voting at certain polling places and early voting centers.

BY adding to

Article – Election Law  
Section 10–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure  
Section 11–704(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 11–708(a) and 11–722  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 496 – Delegates Impallaria, Bates, Boteler, Cluster, DeBoy, Elliott, Glass, James, McComas, McDonough, Minnick, Norman, and O'Donnell**

AN ACT concerning

**Child Abuse and Neglect – Failure to Report – Penalties**

FOR the purpose of establishing that certain persons who are required to provide certain notice and make certain reports of suspected child abuse or neglect, while acting in their professional capacities, may not knowingly fail to give the notice or make the reports; establishing that any other person, under certain circumstances, who has reason to believe a child has been subjected to child abuse or neglect and who is required to report the suspected child abuse or neglect to the local department of human resources or appropriate law enforcement agency may not knowingly fail to provide the required report; establishing that it is a misdemeanor for certain persons to knowingly fail to report child abuse or neglect; providing certain penalties for a violation of this Act; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–704 and 5–705  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 497 – Delegates Myers, Afzali, Glass, McComas, Norman, Parrott, Serafini, and Smigiel**

AN ACT concerning

**Public Schools – Epinephrine Availability and Use – Policy Requirements**

FOR the purpose of requiring each county board of education to establish a policy to authorize certain school personnel to administer auto-injectable epinephrine to certain students under certain circumstances; requiring a certain policy to include certain information; providing that a certain policy may authorize a school nurse to obtain and store at a public school auto-injectable epinephrine for certain purposes; requiring certain public schools to submit a certain report to the State Department of Education; requiring the Department to develop and disseminate a certain standard form; defining certain terms; and generally relating to an epinephrine availability and use policy in public schools.

BY adding to  
Article – Education  
Section 7–426.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 498 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Election Law – Challengers and Watchers**

FOR the purpose of prohibiting a candidate from being designated as a challenger or watcher at a polling place in Wicomico County for an election in which the candidate's name appears on the ballot; providing for a delayed effective date; and generally relating to designating challengers and watchers in Wicomico County.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–311(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 499 – Delegate Niemann**

AN ACT concerning

**Vehicle Laws – Disposition of Vehicle to Automotive Dismantler and  
Recycler or Scrap Processor**

FOR the purpose of repealing a provision of law that authorizes certain persons to transfer certain inoperable vehicles to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling certain notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require certain vehicle transferors to execute an indemnity agreement; repealing a certain exception for certain vehicles to the requirement that an automotive dismantler and recycler or scrap processor follow certain procedures after taking possession of a vehicle without receiving certain documentary evidence of ownership; establishing that an automotive dismantler and recycler or scrap processor that does not receive certain documentation from a certain police department when taking possession of a vehicle is required to comply with certain procedures; altering the notice requirements that an automotive dismantler and recycler or scrap processor is required to follow if it takes possession of a vehicle but does not receive certain documentary evidence of ownership; requiring an automotive dismantler and

recycler or scrap processor that certifies to the Motor Vehicle Administration that it is taking title to a vehicle to include certain additional documentation in the certification; making certain stylistic changes; and generally relating to the disposition of a vehicle to an automotive dismantler and recycler or scrap processor.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–509  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 25–204, 25–205, and 25–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Transportation  
Section 25–210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 500 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Adult Detention Center – Medical and Dental Fees**

FOR the purpose of altering certain medical and dental fees for individuals incarcerated in the Frederick County Adult Detention Center; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–203(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 501 – Delegate O’Donnell**



AN ACT concerning

**State Government – Open Meetings Act – Online Training**

FOR the purpose of requiring the State Open Meetings Law Compliance Board to develop and offer an online training program on the requirements of the open meetings law to employees, officers, or members of a public body and members of the general public; and generally relating to online training on the requirements of the Open Meetings Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–502.4(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 502 – Delegates McConkey and Fisher**

AN ACT concerning

**Video Lottery Terminals – State Legislators – Prohibited Acts**

FOR the purpose of prohibiting a member of the Senate of Maryland or the House of Delegates from holding a license issued in connection with the operation of video lottery terminals; prohibiting a member from performing work or services as an independent contractor for a certain licensee or an agent of the licensee; and generally relating to the operation of video lottery terminals and members of the Senate of Maryland and the House of Delegates.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–02(c)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–05(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 503 – Delegates Niemann, Ivey, and Summers**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Bladensburg Market Square II**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of Prince George’s Heritage, Inc. to present evidence that a certain matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2016; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BA)

Read the first time and referred to the Committee on Appropriations.

**House Bill 504 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Class B Beer Licenses**

FOR the purpose of establishing in Garrett County a Class B beer license for certain hotels, motels, inns, and restaurants; authorizing the Board of License Commissioners to issue the license with or without a catering option; specifying the privileges of certain licenses; requiring that to exercise the catering option, a holder of a license meet certain requirements; specifying certain license fees; authorizing the Board to adopt certain regulations; and generally relating to Class B beer licenses in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 3–201(m)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 505 – Delegate Lafferty**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Arrow Child and Family  
Ministries**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$154,000, the proceeds to be used as a grant to the Board of Directors of the Arrow Child and Family Ministries of Maryland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 506 – Delegate Anderson**

AN ACT concerning

**Health Care Malpractice Claims – Expert Witnesses – Admissibility of Insurance Coverage**

FOR the purpose of providing that the existence of professional liability insurance coverage is admissible under certain circumstances at the hearing of a claim or the trial of an action against a health care provider for alleged medical injury; providing that the existence of professional liability insurance coverage is admissible solely for a certain purpose; and generally relating to the admissibility of the existence of professional liability insurance coverage.

BY adding to

Article – Courts and Judicial Proceedings  
Section 10–922  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 507 – Delegate Anderson**

AN ACT concerning

**Health Care Malpractice Claims – Expert Witnesses – Limitations**

FOR the purpose of prohibiting a party, in the trial of certain actions against a health care provider for an alleged medical injury, from presenting testimony from more than a certain number of experts, unless the court, for good cause shown, permits additional experts; providing for the application of this Act; and generally relating to certain health care malpractice actions.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings

Section 3–2A–05(d), 3–2A–06(a) and (b), 3–2A–06A(a) and (c), and 3–2A–06B(a) and (f)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–2A–06(d), 3–2A–06A(e), and 3–2A–06B(h)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 508 – Delegates Healey and Norman**

AN ACT concerning

#### **Real Property – Foreclosure – Mortgage Foreclosure Property Values Protection Act of 2012**

FOR the purpose of requiring a purchaser in a foreclosure sale to close on a certain transaction and record a certain deed within a certain period of time after the entry of a final order ratifying a foreclosure sale; and generally relating to recordation requirements and foreclosure sales.

BY adding to

Article – Real Property

Section 3–102.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 509 – Delegates K. Kelly, Beitzel, Clippinger, Cluster, Dumais, Hough, McConkey, Myers, Parrott, Valentino–Smith, and Wilson**

AN ACT concerning

#### **Public Health – Inmates – HIV Testing**

FOR the purpose of authorizing certain courts to order certain inmates to furnish to certain correctional institutions blood samples or cheek swabs to be tested for the presence of human immunodeficiency virus (HIV) under certain circumstances; requiring certain courts, before ordering a certain test, to hold certain hearings under certain circumstances; requiring a certain correctional employee or the correctional employee's representative and a certain inmate or the inmate's representative to be notified of certain information; providing that

certain courts may admit only certain evidence at certain hearings; requiring a certain written request of a correctional employee or the correctional employee's representative to be filed by a certain State's Attorney with a certain court and sealed by the court; requiring certain courts to hold certain hearings and issue certain orders within certain time periods; defining a certain term; and generally relating to HIV testing of inmates.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–338  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 510 – Delegates Cluster, Boteler, and Bromwell**

AN ACT concerning

#### **Baltimore County Revenue Authority – Purchases – Competitive Bidding**

FOR the purpose of requiring the Baltimore County Revenue Authority, when the estimated cost of certain commodities and services exceeds a certain amount, to use a certain competitive bidding process to purchase the commodities and services by written, formal contract from a certain bidder after a certain notice; prohibiting the division of a contract or purchase into smaller parts to avoid certain requirements; and generally relating to the purchase of commodities and services by the Baltimore County Revenue Authority.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Baltimore County  
Section 9–1–101(a), (b), and (f) and 10–2–401(b)  
Article 3 – Public Local Laws of Maryland  
(2003 Edition and September 2011 Supplement, as amended)

BY adding to  
The Public Local Laws of Baltimore County  
Section 9–1–116.1  
Article 3 – Public Local Laws of Maryland  
(2003 Edition and September 2011 Supplement, as amended)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 511 – Chair, Environmental Matters Committee**

AN ACT concerning

### **State Board of Environmental Health Specialists – Transfer of Responsibilities**

FOR the purpose of renaming the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transferring the Board and certain functions, powers, duties, assets, liabilities, and records from the Department of the Environment to the Department of Health and Mental Hygiene; renaming environmental sanitarians to be environmental health specialists; altering the length of terms for certain Board members; altering a certain date relating to the staggering of the terms of Board members; altering the number of terms certain Board members may serve; requiring the Board to notify certain environmental health specialists of certain vacancies on the Board and provide the Secretary of Health and Mental Hygiene with a list of a certain number of candidates for each vacancy; requiring the Board to determine the duties of certain officers; clarifying certain quorum requirements; authorizing the Board to employ certain staff in accordance with the budget of the Board; authorizing the Board to sue to enforce certain provisions by injunction and issue certain subpoenas, summon certain witnesses, administer certain oaths, take certain affidavits, and take certain testimony; requiring that certain applicants be of good moral character and at least a certain age; authorizing the Board to waive certain education and training requirements for an applicant to qualify to take the licensing examination under certain conditions; authorizing the Board to send certain notices by electronic means; requiring the Board to maintain certain records and a certain database regarding disciplinary matters; establishing a certain violation for failing to cooperate with certain investigations; prohibiting certain persons from using certain titles and initials; altering certain penalties; extending the termination date of the Board; requiring that the Department of Legislative Services evaluate the Board by a certain date; providing that certain Board members may continue to serve for a certain term and that certain provisions will apply to certain vacancies on the Board; providing measures for continuity for certain license and certificate holders during a certain transition period; expressing the intent of the General Assembly that the Department of the Environment and the Department of Health and Mental Hygiene cooperate to ensure adequate funding is available to support the Board during a certain fiscal year; expressing the intent of the General Assembly that the Board implement certain measures; requiring the Board to adopt certain regulations; repealing laws inconsistent with this Act; requiring the Board to repeal certain regulations; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to automatically make certain corrections in a certain manner; repealing certain obsolete provisions; making certain technical, conforming, and stylistic changes; defining certain terms; and generally relating to the State Board of Environmental Health Specialists.

BY transferring

Article – Environment

Section 11–101 through 11–502, respectively, and the title “Title 11. Environmental Sanitarians”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

to be

Article – Health Occupations

Section 21–101 through 21–502, respectively, and the title “Title 21. Environmental Sanitarians”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21–101; 21–201 through 21–205 to be under the amended subtitle “Subtitle 2. State Board of Environmental Health Specialists”; 21–301 through 21–310, 21–312 through 21–315, 21–401, 21–402, 21–501, and 21–502 to be under the amended title “Title 21. Environmental Health Specialists”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 21–102, 21–206, 21–207, and 21–311

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(22)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Environmental Matters.

### **House Bill 512 – Delegate Beitzel**

AN ACT concerning

#### **Environment – Garrett County Sanitary District – Imposition of Late Fees**

FOR the purpose of authorizing the sanitary district in Garrett County to charge a late fee for certain unpaid usage charges; authorizing the County

Commissioners of Garrett County to require the payment of certain late fees before reconnecting certain water service; providing that a charge that is in default will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges in Garrett County.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–601(a), (d), (j), and (k) and 9–629(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–662(o)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 513 – Delegates K. Kelly, Beitzel, Cluster, Dumais, McDermott, Parrott, Simmons, and Valentino-Smith**

AN ACT concerning

**Criminal Procedure – Custody of Arrested Persons Before Release**

FOR the purpose of requiring a police officer to keep custody of an arrested person from the time of arrest until the person is committed by lawful authority to a State or local correctional facility, released from custody, or in the custody of another police officer; requiring a correctional employee assigned to monitor inmates to keep custody of certain arrested persons under certain circumstances; and generally relating to the custody of arrested persons.

BY adding to  
Article – Criminal Procedure  
Section 2–106.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 514 – Delegates Stocksdale, Bates, Kipke, Myers, Ready, B. Robinson, Serafini, and Wood**

AN ACT concerning



**State Board of Education – Study on the Use of Prefabricated School Construction**

FOR the purpose of requiring the State Board of Education to conduct a certain study on the use of prefabricated school construction in Maryland; requiring the State Board of Education to report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on the use of prefabricated school construction in the State by the State Board of Education.

Read the first time and referred to the Committee on Appropriations.

**House Bill 515 – Delegates Stein, Arora, Bobo, Cardin, DeBoy, Frick, Kach, A. Kelly, Kipke, Kramer, Lafferty, Morhaim, Olszewski, Reznik, B. Robinson, Stukes, and Zucker**

AN ACT concerning

**State Government – Financial Education and Capability Commission**

FOR the purpose of establishing the Financial Education and Capability Commission; providing for the composition, co–chairs, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to meet at least a certain number of times each year; requiring the Commission to monitor the implementation of public and private initiatives to improve the financial education and capability of residents of the State and to make recommendations regarding certain matters; requiring the Commission to make certain reports to the Governor and the General Assembly on or before a certain date each year; defining a certain term; specifying the terms of the initial appointed members of the Commission; and generally relating to the Financial Education and Capability Commission.

BY adding to

Article – State Government

Section 9–801 through 9–804 to be under the new subtitle “Subtitle 8. Financial Education and Capability Commission”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 516 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Orphans’ Court Judges – Pension**

FOR the purpose of altering the pension of a judge of the Orphans' Court for Allegany County under certain circumstances; making a technical change; and generally relating to the pension of a judge of the Orphans' Court for Allegany County under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 2–108(b) and (y)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(y)(2), (6), and (7)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 2–108(y)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 517 – Delegate Niemann**

AN ACT concerning

#### **Criminal Procedure – Bail Bonds – Use of Real Property as Security**

FOR the purpose of prohibiting a surety from accepting or providing real estate as security for a bail bond in a circuit court or the District Court unless the person offering the real estate as security provides a certification from the owner of the real estate that the real estate has no outstanding citations for building or property code violations; and generally relating to bail bonds.

BY adding to  
Article – Criminal Procedure  
Section 5–203(a)(6) and 5–205(b)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 518 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Tax Sales – Auctioneer’s Fees**

FOR the purpose of setting the amount of the auctioneer’s fee allowed in Frederick County relating to certain tax sales to be the lowest responsive bid; and generally relating to tax sales in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 14–813(e)(1)(iv)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–813(e)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 519 – Delegates Stocksdales, Afzali, Bates, Boteler, DeBoy, Dwyer, Eckardt, Elliott, Glass, Hough, Howard, Impallaria, Jameson, Kaiser, Krebs, Minnick, Mitchell, Parrott, Ready, B. Robinson, Sophocleus, and Wood**

AN ACT concerning

**Public Institutions of Higher Education – Tuition Rates – Veterans**

FOR the purpose of extending the time period within which an honorably discharged veteran must present certain evidence in order to qualify for a certain tuition rate at a public institution of higher education; and generally relating to tuition rates for veterans.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.4  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale,**

**Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn**

**EMERGENCY BILL**

AN ACT concerning

**Electric Companies – Contact Voltage – Surveys and Mitigation**

FOR the purpose of requiring certain electric companies to file with the Public Service Commission for approval a certain list or voltage survey plan on or before a certain date; requiring an electric company to file a certain voltage survey plan for Commission approval within a certain period of time; requiring an electric company to conduct certain surveys of certain objects and surfaces within certain contact voltage risk zones at certain times; requiring an electric company to conduct certain surveys of certain objects and surfaces that are not within a certain contact voltage risk zone at certain times; specifying how an electric company shall test street lights; requiring an electric company to file for Commission approval a certain amended voltage survey plan within a certain time period before implementing a material change to a voltage survey plan; authorizing the Commission to modify certain contact voltage survey requirements under certain circumstances; requiring that certain equipment must be certified by an independent laboratory for certain purposes; requiring an electric company to include certain certification when filing a certain voltage survey plan; requiring an electric company to confirm and document all contact voltage detected in a contact voltage survey in a certain manner; requiring an electric company to make an area safe after detecting a potential contact voltage condition until the condition can be confirmed; requiring that, when an electric company detects a certain contact voltage measurement, the electric company shall maintain certain records, perform a certain contact voltage survey, make a certain area safe, and use best efforts to make a certain permanent repair within a certain time period if the property is electric distribution plant or a certain street light or notify a certain person associated with a property that is not owned by the electric company of the condition and the need for the owner to make a certain repair; requiring an electric company to file a certain compliance report with the Commission on or before a certain date each year; providing for the contents of the compliance report; authorizing the Commission to impose a certain civil penalty under certain circumstances; requiring the Commission to adopt certain regulations; defining certain terms; making this Act an emergency measure; and generally relating to contact voltage plans and surveys.

BY adding to

Article – Public Utilities

Section 7–214

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 521 – Delegates Stocksdale, Aumann, Afzali, Bates, Cluster, Elliott, Frank, Guzzone, Hough, Krebs, McComas, McDermott, W. Miller, Otto, Schulz, Vitale, and Wood**

AN ACT concerning

**Real Property – Residential and Mobile Home Park Leases – Interest on Security Deposits**

FOR the purpose of altering the annual interest rate paid on a security deposit under a residential lease after the end of a tenancy; altering the annual interest rate paid on a security deposit under a residential lease prior to the termination of a tenancy under certain circumstances; altering the annual interest rate paid by a mobile home park owner on a security deposit at the end of a tenancy; providing for the termination of this Act; and generally relating to the interest rate paid on a security deposit for a residential or mobile home park lease.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203(e) and (h) and 8A–1001(f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 522 – Delegates A. Miller, Howard, Ivey, Lee, Luedtke, S. Robinson, and Stukes**

AN ACT concerning

**Maryland Green Fuel Initiative – Motor Fuel Taxes – Biodiesel**

FOR the purpose of altering the motor fuel tax rate for certain biodiesel fuel; defining a certain term and altering a certain definition under the motor fuel tax law; and generally relating to the motor fuel tax.

BY adding to  
Article – Tax – General  
Section 9–101(c–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General

Section 9–101(h) and 9–305  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 523 – Delegates Rosenberg, Carter, Oaks, B. Robinson, and Tarrant**

AN ACT concerning

**Board of Public Works – Procurement Contracts – Economic Inclusion Plans**

FOR the purpose of requiring the Board of Public Works to approve economic inclusion plans for certain State procurement contracts; requiring that economic inclusion plans be drafted by certain contractors in collaboration with certain units and local community groups; requiring that economic inclusion plans promote the involvement and training of certain minority business enterprises, locally owned businesses, and local residents; requiring that economic inclusion plans include certain procedures, policies, and processes; requiring certain units to determine certain definitions by considering certain factors; requiring the Board to adopt certain regulations; requiring certain units to waive certain requirements for economic inclusion plans under certain circumstances; requiring certain bidders, offerors, or contractors to carry out certain economic inclusion plans in good faith; requiring certain units to make certain determinations; providing that certain penalties apply under certain circumstances; and generally relating to the Board of Public Works, procurement contracts, and economic inclusion plans.

BY adding to

Article – State Finance and Procurement  
Section 12–601 through 12–603 to be under the new subtitle “Subtitle 6.  
Economic Inclusion Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 6 – Delegate Braveboy**

A House Joint Resolution concerning

**Legislative Districting Plan 2012**

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

## LETTERS OF REASSIGNMENT

### MEMORANDUM

To: Hon. Dereck E. Davis, Chairman, ECM  
From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 213	ENV and ECM

Read and ordered journalized.

**APPOINTMENTS**

February 2, 2012

**RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED BY THE MINORITY LEADER:**

Minority Leader, The Hon. Anthony J. O'Donnell  
Minority Whip, The Hon. Jeannie Haddaway–Riccio  
Assistant Minority Leader, The Hon. Nancy R. Stocksdales  
Assistant Minority Whip, The Hon. Andrew A. Serafini  
Chief Deputy Whip, The Hon. William J. Frank

**RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED DEPUTY MINORITY WHIPS:**

The Hon. Susan W. Krebs  
The Hon. Susan L.M. Aumann  
The Hon. Patrick Hogan  
The Hon. Don H. Dwyer, Jr.  
The Hon. Steven R. Schuh  
The Hon. Donna M. Stifler

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 53)

**ADJOURNMENT**

At 10:29 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 3, 2012.



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**Annapolis, Maryland**  
**Friday, February 3, 2012**

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The House met at 11:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Adelaide C. Eckardt of Caroline, Dorchester, Talbot and Wicomico counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 54)

The Journal of February 2, 2012 was read and approved.

**EXCUSES:**

Del. Alston – personal  
Del. Braveboy – personal  
Del. Griffith – illness  
Del. McDonough – personal  
Del. Myers – doctor’s appointment  
Del. Rosenberg – personal  
Del. Serafini – illness  
Del. F. Turner – illness  
Del. Wood – doctor’s appointment

**INTRODUCTION OF BILLS**

**House Bill 524 – Delegates Parrott, Donoghue, Hough, Myers, and Serafini**

AN ACT concerning

**Washington County – Sheriffs and Deputy Sheriffs – Practice of Law**

FOR the purpose of allowing an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County; and generally relating to the practice of law by sheriffs and deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions

Section 10–603  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 525 – Delegates Clagett, Aumann, Barve, Bates, DeBoy, Healey, Krebs, Norman, Pendergrass, Sophocleus, Stocksdale, Wood, and Zucker**

AN ACT concerning

**State Personnel – Hiring Prohibition – Individuals Terminated with Prejudice**

FOR the purpose of prohibiting an appointing authority from hiring an individual who has been terminated with prejudice from State service; providing for the application of this Act; and generally relating to prohibiting the hiring of certain individuals by State appointing authorities.

BY adding to  
Article – State Personnel and Pensions  
Section 2–801 to be under the new subtitle “Subtitle 8. Hiring Prohibitions”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 526 – Delegates Clagett, Anderson, Barkley, Bohanan, Guzzone, Haynes, Hucker, Jones, Mizeur, Proctor, B. Robinson, Washington, and Zucker**

AN ACT concerning

**State Personnel – Special Appointments – Status**

FOR the purpose of repealing certain provisions of law that designate certain positions and employees as special appointments in the State Personnel Management System; repealing a provision of law that certain employees in the Maryland Correctional Enterprises may be in the skilled service category of the State Personnel Management System; providing that assistant attorneys general are special appointments in the State Personnel Management System; providing that certain at–will positions that are encumbered on a certain date shall remain at–will positions until the positions are vacant; and generally relating to State personnel and special appointments.

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 3–506  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 6–105(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 527 – Delegates Norman and Weir**

AN ACT concerning

#### **Courts – Bankruptcy – Arms**

FOR the purpose of authorizing a person to claim an exemption in certain bankruptcy proceedings for arms not exceeding a certain amount in value; providing for the application of this Act; and generally relating to an exemption in certain bankruptcy proceedings for arms not exceeding a certain amount in value.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 11–504  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 528 – Delegates Dumais, Kramer, Arora, Barkley, Barve, Carr, Cullison, Feldman, Frick, Gilchrist, Gutierrez, Hixson, Hucker, Kaiser, A. Kelly, K. Kelly, Lee, Luedtke, A. Miller, Reznik, S. Robinson, Simmons, Waldstreicher, and Zucker**

AN ACT concerning

#### **Local Correctional Facilities – Sentenced Inmates**

FOR the purpose of altering the circumstances under which a judge may sentence an individual to a local correctional facility; prohibiting a judge from sentencing an individual to a local correctional facility for a period exceeding a certain amount of time; and generally relating to the sentencing of inmates to a local correctional facility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 529 – Delegates Carr, Bobo, Cane, Huckler, McMillan, Niemann,  
Reznik, Sophocleus, and Stocksdale**

AN ACT concerning

**Environment – Local Stormwater Management Charges – State Property**

FOR the purpose of providing a certain exception to an exemption from certain taxes, user charges, and utility fees relating to stormwater management for property owned by the State or a unit of State government; providing, with certain exceptions and under certain conditions, that property owned by the State or a unit of State government is subject to a certain stormwater management charge imposed by the governing body of the county or municipality within which the property is located; providing an exception to an exemption from the application of a certain provision of law relating to stormwater management charges for State construction activities; prohibiting, with a certain exception, a certain permitted jurisdiction from imposing a certain charge on a property that is located wholly within another permitted jurisdiction; providing for a certain allocation of charges when a property is located in more than one permitted jurisdiction; defining a certain term; making stylistic changes; repealing obsolete language; and generally relating to stormwater management charges.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 24–406  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–204 and 4–205  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 530 – Delegates DeBoy and James**

AN ACT concerning

**Creation of a State Debt – Harford County – Broad Creek Memorial Scout  
Reservation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of Baltimore Area Council, Boy Scouts of America for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 531 – Delegates Reznik, Tarrant, Bobo, Carr, Feldman, Frick, Gutierrez, Healey, Kaiser, Kipke, Lafferty, Luedtke, McDonough, Murphy, B. Robinson, and Sophocleus**

AN ACT concerning

**State Government – Commemorative Days – Prescription Drug Take Back  
Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Prescription Drug Take Back Day; declaring the intent of the General Assembly; and generally relating to Prescription Drug Take Back Day.

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

**House Bill 532 – Delegates Cardin, Boteler, Bromwell, DeBoy, Donoghue, Glass, Jameson, McComas, McDonough, Minnick, Morhaim, Oaks, Reznik, Stein, and Weir**

AN ACT concerning

**Income Tax Exemption – Military Health Care Pensions – Health Care  
Workforce Shortage**

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain military retirement income of an

individual whose federal adjusted gross income does not exceed a certain amount; requiring the Comptroller, in consultation with the Department of Health and Mental Hygiene and the Governor's Workforce Investment Board, to adopt regulations prescribing standards for the subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification for certain military retirement income.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 533 – Delegates Feldman, Haddaway–Riccio, McHale, and Schulz**

AN ACT concerning

**Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts**

FOR the purpose of altering the interest rate payable by certain lending institutions on escrow accounts created in connection with loans secured by a first mortgage or first deed of trust on residential real property; requiring the interest rate to be adjusted under certain circumstances; altering the interest rate payable by certain banking institutions on interest bearing accounts instituted for a specific purpose; repealing certain obsolete language; providing for the application of this Act; and generally relating to rates of interest payable on escrow accounts and savings accounts.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–109 and 12–1026(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–1026(a)  
Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 5–302(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 534 – Delegate James**

AN ACT concerning

**Creation of a State Debt – Cecil County – Milburn Stone Theatre**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Cecil College Foundation DBA Friends of the Milburn Stone Theatre for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 535 – Delegate Wilson**

AN ACT concerning

**Drunk and Drugged Driving – Refusal to Take a Blood or Breath Test – Prohibition**

FOR the purpose of prohibiting a person who is detained for certain alcohol– or drug–related driving offenses from knowingly refusing to take a certain blood or breath test if the person was detained previously for certain alcohol– or drug–related driving offenses and refused to take a certain blood or breath test; providing for certain criminal penalties; and generally relating to establishing a criminal offense of refusal to take a certain blood or breath test under certain circumstances.

BY adding to  
Article – Transportation  
Section 21–902.2 and 27–101(ff)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 536 – Delegate Wilson**

AN ACT concerning

**Courts – Violation of Probation – Appeal on the Record**

FOR the purpose of providing that an appeal shall be heard on the record made in the District Court in a case in which the District Court determines that a criminal defendant violated probation; and generally relating to an appeal of a determination by the District Court of a violation of probation by a criminal defendant.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–401(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 537 – Delegates Jones, Clagett, Cullison, Donoghue, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Huckler, Mizeur, Nathan–Pulliam, Reznik, B. Robinson, V. Turner, Valderrama, and Washington**

AN ACT concerning

**State Personnel – Collective Bargaining – Applicability**

FOR the purpose of providing certain collective bargaining rights to certain State employees; specifying the responsibilities of the State Labor Relations Board in administering and enforcing certain provisions of law relating to the collective bargaining rights of certain State employees; requiring the State Labor Relations Board to create certain bargaining units for certain State employees; and generally relating to the collective bargaining rights of State employees.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–101(b), 3–102, and 3–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.



**House Bill 538 – Delegates Olszewski, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Bohanan, Boteler, Carr, George, Glass, Kach, Mizeur, Reznik, Szeliga, Vitale, and Weir**

AN ACT concerning

**Campaign Finance – Contributions – Disclosure**

FOR the purpose of requiring a campaign finance entity to report certain information on its campaign finance reports for each contribution the entity receives; authorizing a campaign finance entity to report a maximum of a certain amount of contributions in an election cycle on its campaign finance reports without providing certain information about each contribution; requiring that contributions reported on or after a certain date shall be considered in making a certain determination under this Act; providing that certain reporting requirements under this Act apply only to campaign finance reports filed on or after a certain date; and generally relating to the disclosure of information concerning contributions in campaign finance reports.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–240 and 13–304  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 539 – Delegates DeBoy, Beitzel, Bohanan, Branch, Bromwell, Clagett, Cluster, Conway, Costa, George, Guzzone, Holmes, James, Jameson, Kach, K. Kelly, Kipke, Lafferty, Malone, McHale, W. Miller, Minnick, Olszewski, Proctor, Rudolph, Schulz, Sophocleus, Summers, Valentino–Smith, Vaughn, Walker, Weir, Wilson, Wood, and Zucker**

AN ACT concerning

**Criminal Law – Impersonation of a Police Officer – Penalties**

FOR the purpose of altering the classification of the crime of impersonating certain police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers wearing a certain police article without a certain authorization, or having a simulation or imitation of a certain police article under certain circumstances, from a misdemeanor to a felony and increasing the penalties for a violation of the offense; and generally relating to the crime of impersonating police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 3–502  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 540 – Delegate Reznik (By Request – State Board of Morticians and Funeral Directors) and Delegates Waldstreicher, Carr, Elliott, Feldman, Frank, Frush, Gaines, Hubbard, Kipke, McDonough, McHale, Smigiel, and Sophocleus**

AN ACT concerning

**Handling Human Remains with Dignity Act of 2012**

FOR the purpose of requiring a funeral establishment or crematory, on taking custody of the body of a decedent, to maintain the body in a certain manner; requiring a funeral establishment or crematory to maintain the body of a decedent with refrigeration and at a certain temperature under certain circumstances; requiring a funeral establishment or a crematory to notify the State Board of Morticians and Funeral Directors and a certain other person if the funeral establishment or crematory cannot comply with certain provisions of this Act; specifying that a certain notice must be given within a certain time period and include certain information; prohibiting the body of a decedent from being embalmed or artificially preserved except under certain circumstances; requiring a funeral establishment or crematory to store the body of a decedent at a specified location; prohibiting a funeral establishment, crematory, or transportation service from transporting or storing the body of a decedent together with certain other remains; prohibiting the body of a decedent, while in the custody of a funeral establishment or crematory, from being transported to a certain facility except under certain circumstances; authorizing the Board to take certain disciplinary action against a licensee who fails to comply with certain provisions of this Act; and generally relating to the transportation and storage of bodies of decedents.

BY adding to

Article – Health – General  
Section 5–513  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations  
Section 7–101(a) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–316(a)(30) and (31)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 7–316(a)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 541 – Delegates Smigiel, McDermott, Afzali, Arora, Aumann, Barkley, Bates, Branch, Fisher, Frank, George, Hershey, Hough, Jacobs, Kach, McComas, McConkey, W. Miller, Minnick, Mitchell, Norman, Olszewski, Ready, Szeliga, Vitale, and Weir**

AN ACT concerning

**Vehicle Laws – Special Registration Plate – United States Armed Forces**

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available for certain vehicles a special registration plate honoring the armed forces of the United States; authorizing certain persons to apply for the special registration plate; requiring certain owners of vehicles assigned a special registration plate under this Act to pay certain fees; requiring that certain fees be used only for certain purposes; requiring a registration plate issued under this Act to contain a certain graphic design and certain words; requiring the Administration to adopt regulations to carry out the provisions of this Act; and generally relating to a special registration plate honoring the armed forces of the United States.

BY adding to  
Article – Transportation  
Section 13–619.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 542 – Delegates Gutierrez, Barkley, Bobo, Carr, Carter, Cullison, Feldman, Frick, Frush, Guzzone, Haynes, Holmes, Howard, Hucker, Ivey, A. Kelly, Kramer, Lee, Luedtke, A. Miller, Mitchell,**

**Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Sophocleus, Stukes, V. Turner, Waldstreicher, and Zucker**

AN ACT concerning

**Public Schools – Student Attendance – Preventing Chronic Absenteeism**

FOR the purpose of requiring certain schools to maintain a record of the daily attendance of certain students using a certain identifier, to calculate and maintain a certain record of certain student attendance information, and to submit a certain report to the county board of education that includes certain student attendance information at certain times each year; requiring each county board of education to calculate and maintain a certain record of certain attendance information; requiring each county board to report certain information to the State Board of Education at least a certain number of times each year; requiring each county board to develop and implement a certain attendance incentive action plan that includes certain information; defining certain terms; and generally relating to tracking and reporting student attendance in public schools.

BY adding to

Article – Education

Section 4–127

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 543 – Delegates Hough, Afzali, Cluster, Eckardt, Kach, Krebs, McComas, McDermott, Mitchell, Ready, Simmons, Smigiel, and Waldstreicher**

AN ACT concerning

**Criminal Procedure – Victim–Offender Mediation Program**

FOR the purpose of authorizing the establishment of a pretrial victim–offender mediation program by the Chief Judge of the District Court; requiring the Chief Judge of the District Court to establish procedures to implement a certain victim–offender mediation program; establishing the manner in which a certain defendant can be diverted to a certain victim–offender mediation program; providing that a certain defendant under certain circumstances is eligible for diversion to a certain victim–offender mediation program; authorizing a court, under certain circumstances, to enter a certain order; providing for certain procedures; establishing the requirements that may be included in a certain mediation agreement in a certain victim–offender mediation program; providing for the period for and conditions under which a certain mediation agreement is

valid; providing for the dismissal of certain charges under certain circumstances; requiring the Chief Judge of the District Court to establish a certain fee under certain circumstances; defining a certain term; and generally relating to a victim–offender mediation program.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1105 to be under the new subtitle “Subtitle 11.  
Victim–Offender Mediation Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 544 – Delegate Malone**

AN ACT concerning

#### **Vehicle Laws – Motor Carriers – Application of Federal Safety Regulations**

FOR the purpose of requiring that motor carrier safety regulations adopted jointly by the Motor Vehicle Administration and the Department of State Police duplicate or be consistent with certain federal regulations; clarifying the scope of certain State motor carrier safety regulations; and generally relating to the application of motor carrier safety regulations.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 25–111(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 545 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Oaks**

AN ACT concerning

#### **Crimes – Theft from a Motor Vehicle – Penalties**

FOR the purpose of prohibiting a person from knowingly and willfully obtaining or exerting unauthorized control over personal property located in or on a motor vehicle if the person intends to deprive the owner of the property, uses, conceals, or abandons the property in a manner that deprives the owner of the property, or uses, conceals, or abandons the property knowing that the use, concealment, or abandonment will deprive the owner of the property;

establishing penalties for a violation of this Act; providing that a court may not impose certain penalties for a second or subsequent violation of this Act unless the State's Attorney serves a certain notice on the defendant or defendant's counsel within a certain period; providing that this Act does not preclude a certain prosecution for theft; establishing that a conviction under this Act does not merge for sentencing purposes into a certain other conviction; defining a certain term; and generally relating to thefts from motor vehicles.

BY adding to

Article – Criminal Law

Section 7–105.2

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 546 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates McIntosh and Oaks**

AN ACT concerning

**Criminal Law – Litter Control Regulations and Penalties**

FOR the purpose of clarifying an exception to the prohibition of improper litter disposal relating to disposal in receptacles or containers; altering certain penalties for improper litter disposal based on the amount of litter; requiring a court to notify a person who is convicted of a certain litter disposal offense that the person's driver's license may be suspended; requiring a court to notify the Motor Vehicle Administration of a certain violation involving litter disposal; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish certain procedures; changing the name used to cite a violation of the litter control law from "Litter Control Law" to "Illegal Dumping and Litter Control Law"; altering the agency authorized, in Baltimore City, to enforce certain provisions relating to illegal dumping and litter control through the use of surveillance systems; authorizing for a first offense, and requiring for a second or subsequent offense, the Administration to suspend, for a certain period of time, the driver's license of a person who is convicted of a certain litter disposal offense; providing for a certain hearing on the request of a licensee under certain circumstances; altering certain definitions; making certain conforming changes; and generally relating to litter control.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–110 and 10–112

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 16–206.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 26–305(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 547 – Delegates Gilchrist, Barve, and Simmons**

AN ACT concerning

**Creation of a State Debt – Montgomery County – VisArts**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Metropolitan Center for the Visual Arts for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 548 – Delegates Minnick, Aumann, Boteler, Clagett, Hershey, Hogan, Jacobs, Kach, McDermott, Otto, Schulz, Smigiel, and Weir**

AN ACT concerning

**Income Tax – Subtraction Modification – Military Compensation Outside the United States**

FOR the purpose of altering the calculation of a subtraction modification under the Maryland income tax for certain military compensation paid under certain circumstances; providing for the application of this Act; and generally relating to the taxation of certain military compensation.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–207(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(p)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 549 – Delegate Hogan**

AN ACT concerning

**Stormwater Management – Residential Stormwater Practices – Inspection  
and Maintenance**

FOR the purpose of requiring the Department of the Environment to adopt regulations that specify certain alternatives for inspection of certain stormwater management systems located on certain residential lots; and generally relating to residential stormwater practices.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–203(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 550 – Delegates Reznik, Arora, Carr, Elliott, Gutierrez, Kaiser,  
B. Robinson, S. Robinson, Schulz, and Zucker**

AN ACT concerning

**Vehicle Laws – Historic Motor Vehicles**

FOR the purpose of clarifying the types of motor vehicles that are eligible for registration as historic motor vehicles; increasing the age that a motor vehicle must attain before it may be registered as a historic motor vehicle; prohibiting certain historic motor vehicles from being used for certain purposes; requiring an applicant for registration of a historic motor vehicle to submit with the application a certification that the vehicle is insured by a certain vehicle insurance policy; altering a certain definition; and generally relating to historic motor vehicles.



BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–936  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 551 – Delegate Simmons**

AN ACT concerning

#### **Criminal Procedure – Alien Defendants – Nullity of Bail Bonds**

FOR the purpose of providing that, if a defendant who has posted a bail bond is taken into custody by a certain agency of the federal government because of the defendant's immigration status, the bond shall be null and void; providing that any bond that becomes null and void under this Act shall be returned to the surety and the surety shall have no liability with respect to the bond; providing that, if the surety is a compensated surety, the surety shall refund any premium paid in connection with the bond within a certain time after the bond is returned to the surety; and generally relating to bail bonds for alien defendants.

BY adding to  
Article – Criminal Procedure  
Section 5–206.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 552 – Delegates Malone and Wilson**

AN ACT concerning

#### **Vehicle Laws – Distracted Driving – Prohibition**

FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle when the inattention is caused by the driver engaging in a certain preoccupying activity; providing that a violation of this Act is not a moving violation for the purpose of assessing certain points; authorizing a police officer to enforce this Act only as a secondary offense; defining a certain term; and generally relating to distracted driving.

BY adding to  
Article – Transportation

Section 21–901.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 553 – Delegates Smigiel and McDermott**

AN ACT concerning

**Estates and Trusts – Special and Supplemental Needs Trusts – Regulations  
by State Agencies**

FOR the purpose of requiring each State agency that provides public benefits to individuals with disabilities of all ages to adopt certain regulations that are not more restrictive than State statutes, regulations, or common law regarding trusts and that do not require disclosure of a beneficiary’s personal or confidential information without the consent of the beneficiary; requiring certain regulations to allow a certain pooled asset special needs trust to retain certain funds under certain circumstances; providing that nothing in a certain provision of law shall be interpreted to require a court order to authorize a disbursement from a special or supplemental needs trust; establishing that a certain regulation enacted by a State agency regarding pooled special needs trusts shall apply only to certain trust beneficiaries; and generally relating to special and supplemental needs trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 14–115  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 554 – Delegates Hogan, Boteler, Bromwell, Elliott, Glenn, Hough,  
Kach, Kaiser, Lafferty, McComas, McIntosh, Minnick, Mitchell, Otto,  
Ready, Schulz, Smigiel, Stocksdale, and Vitale**

AN ACT concerning

**Lead Safe Income Tax Credit**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax under certain circumstances for certain costs incurred for an approved lead hazard reduction project with respect to certain property; providing for calculation of the credit; disallowing the credit for costs for which the taxpayer has received a grant or loan under certain State programs; providing for the carryover of unused credit; providing for submission of proposals for lead hazard reduction projects to the Department of Housing and Community Development for approval; limiting the total amount of credits that the Department may approve for any fiscal year; prohibiting the Department from approving lead hazard reduction projects for a credit after a certain date; prohibiting certain false statements; providing a certain penalty for certain violations; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain approved lead hazard reduction projects.

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 555 – Delegates Zucker, Anderson, Arora, Barkley, Barnes, Barve, Beitzel, Bobo, Bromwell, Burns, Clagett, Clippinger, Cluster, Cullison, DeBoy, Dumais, Frick, Gilchrist, Griffith, Guzzone, Haddaway–Riccio, Healey, Hershey, Howard, Hucker, Impallaria, Jameson, Kaiser, A. Kelly, Lafferty, Lee, Love, Luedtke, McComas, McHale, A. Miller, Minnick, Mitchell, Mizeur, Olszewski, Reznik, B. Robinson, S. Robinson, Rudolph, Schulz, Simmons, Sophocleus, Szeliga, Tarrant, V. Turner, Vaughn, Vitale, Waldstreicher, Washington, and Wood**

AN ACT concerning

**Commercial Law – Security Freezes – Minors and Protected Persons**

FOR the purpose of authorizing certain individuals to request a security freeze on the consumer report of certain consumers who are minor children and certain consumers who are individuals under guardianship or conservatorship in accordance with certain procedures; requiring a consumer reporting agency to place a security freeze on certain consumer reports of certain consumers on request of certain individuals and to send certain information to the individuals; authorizing a consumer reporting agency to require certain individuals to confirm a certain request in writing; requiring a consumer reporting agency to create a certain consumer report for a certain consumer under certain

circumstances; prohibiting a consumer reporting agency from releasing certain information while a security freeze is in place without certain authorization; authorizing a person who requests access to a consumer report of a certain consumer to treat a certain application as incomplete under certain circumstances; providing for the temporary or permanent removal of a security freeze on a consumer report of a certain consumer in accordance with certain procedures; prohibiting the charging of a fee for imposition of a security freeze on the consumer report of a certain consumer under certain circumstances; requiring a certain notice to contain certain information; altering the application of certain provisions of law; defining a certain term; altering a certain definition; making certain stylistic and conforming changes; and generally relating to consumer reports and security freezes.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1212.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 556 – Delegates Hubbard, Cluster, Boteler, Bromwell, Kach, Krebs, and V. Turner**

AN ACT concerning

### **Continuing Care Retirement Communities – Regulation**

FOR the purpose of requiring certain providers to set aside operating reserves that, before a certain date, equal a certain percentage of certain expenses of a facility; requiring certain providers to set aside operating reserves that, on or after a certain date, equal a certain percentage of certain expenses of a facility; beginning on a certain date, providing for the manner in which certain requirements under this Act relating to assets held by providers as operating reserves shall be met; beginning on a certain date, providing that certain assets held by providers may be encumbered under certain circumstances; requiring providers of certain facilities, for purposes of a certain operating reserve requirement, to make a certain calculation based on certain operating expenses; adding to the information to be included in a disclosure statement; requiring certain providers to make certain information related to meetings of a governing body available to subscribers within a certain time period; requiring providers to make a certain response to a grievance in writing; requiring providers to make available a copy of a certain budget; requiring certain marketing materials to include a certain disclaimer; providing that certain providers may not sell or make certain transfers of ownership of a facility unless the Department of Aging approves the sale or transfer; providing for the application of certain provisions of this Act; adding to the information to be included in a

continuing care agreement; authorizing the Department of Aging to consider whether a continuing care agreement complies with certain laws; providing for the circumstances under which a provider is not required to submit certain agreements to the Department of Aging for approval; requiring a provider to make certain statements in its continuing care agreement under certain circumstances; authorizing a provider to include certain provisions in its continuing care agreement; requiring the Secretary of Aging and the Insurance Commissioner to conduct certain studies and make certain reports on or before certain dates; making the provisions of this Act severable; making certain stylistic and conforming changes; and generally relating to the regulation of continuing care retirement communities.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–420(b), 10–423(a), 10–425(a), 10–427, 10–428, 10–429, 10–432, 10–444(a) and (b), and 10–445

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

BY adding to

Article – Human Services

Section 10–430 and 10–443

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 557 – Delegate Rosenberg**

AN ACT concerning

#### **Estates and Trusts – Deceased Personality – Property Rights**

FOR the purpose of establishing that a person who uses a certain deceased personality's name, voice, signature, photograph, or likeness on or in products, merchandise, or goods, or for purposes of advertising or selling, or soliciting purchases of, products, merchandise, goods, or services is liable for certain damages; establishing the amount of damages for an action brought under this Act; establishing that the rights recognized under this Act are property rights that are freely transferable or descendible by contract or by certain other means by certain persons, shall be deemed to have existed at the time of death of a deceased personality who died prior to a certain date, and shall vest in certain persons under certain circumstances; establishing the effectiveness of a certain provision in a testamentary instrument to transfer certain rights; providing that after the death of an individual the rights under this Act shall belong to certain persons; providing that, if a deceased personality does not transfer the

rights under this Act by contract or by means of a trust or testamentary instrument, and is not survived by certain persons, then those rights shall terminate; establishing that the rights recognized by this Act are retroactive, including those of deceased personalities who died before a certain date; providing for the construction and application of this Act; defining certain terms; and generally relating to property rights and deceased personalities.

BY adding to

Article – Estates and Trusts

Section 1–501 through 1–514 to be under the new subtitle “Subtitle 5. Deceased Personality”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 558 – Delegates Simmons and Kramer**

AN ACT concerning

#### **Procurement – Automatic Debarment – Employee Arbitration Clauses**

FOR the purpose of providing that a person is debarred, by operation of law, from entering into a contract with a public body if the person or a subsidiary, an affiliate, or a subcontractor of the person includes a requirement in certain agreements that an employee use arbitration for certain claims; requiring the Board of Public Works to notify a person that the person is debarred under a certain provision of this Act and to give the person a certain opportunity for a hearing; prohibiting a person that is debarred under a certain provision of this Act from being considered for the award of, being awarded, or performing a contract with a public body during a certain time period; providing for the termination of the debarment of certain persons; requiring a certain affidavit to contain a certain affirmation under certain circumstances; and generally relating to the automatic debarment from procurement for the use of employee arbitration clauses.

BY adding to

Article – State Finance and Procurement

Section 16–202.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 16–304, 16–309, 16–310(a), and 16–311

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 559 – Delegates Clagett, Aumann, Barve, Bates, DeBoy, Elliott, Healey, Krebs, Luedtke, McMillan, Pendergrass, Sophocleus, Stocksedale, and Wood**

AN ACT concerning

**Procurement – Automatic Debarment – Unpaid Taxes**

FOR the purpose of providing that a person is debarred, by operation of law, from entering into a contract with the State if the person owes unpaid taxes to the State; requiring the Board of Public Works to notify a person that the person is debarred under a certain provision of this Act and to give the person a certain opportunity for a hearing; prohibiting a person that is debarred under a certain provision of this Act from being considered for the award of, being awarded, or performing a contract with the State during a certain time period; providing for the termination of the debarment of certain persons; requiring a certain affidavit to contain a certain affirmation under certain circumstances; and generally relating to the automatic debarment from State procurement for unpaid taxes.

BY adding to

Article – State Finance and Procurement  
Section 16–202.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 16–304(a), 16–309, 16–310(a), and 16–311  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 16–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 560 – Delegates Kipke, Bates, Bromwell, Cluster, Costa, Elliott, Frank, George, Hogan, Hough, Kach, K. Kelly, McDermott, McDonough,**

**W. Miller, Norman, Olszewski, Otto, Parrott, Schuh, Sophocleus, Stifler,  
and Szeliga**

AN ACT concerning

**Family Investment Program – Eligibility – Drug Testing**

FOR the purpose of requiring individuals applying for or receiving temporary cash assistance benefits under the Family Investment Program to comply with certain eligibility requirements related to drug testing; authorizing temporary cash assistance benefits that have been terminated to resume under certain circumstances; requiring an addictions specialist to notify the Family Investment Program case manager if an applicant or a recipient does not complete certain drug testing; requiring an addictions specialist to take certain actions under certain circumstances and in a certain manner; authorizing certain individuals to reapply for temporary cash assistance in a certain manner; requiring a local department to reduce temporary cash assistance benefits under certain circumstances; prohibiting a local department from paying temporary cash assistance to certain applicants under certain circumstances; requiring a local department to make temporary cash assistance benefits payments to a third party payee or a compliant adult recipient under certain circumstances; defining a certain term; and generally relating to eligibility for the Family Investment Program and drug testing.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–101(f)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5–301, 5–308, 5–312, and 5–314  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 561 – Delegates Hubbard, Costa, Cullison, Elliott, Krebs, Oaks,  
Pena–Melnyk, Tarrant, and V. Turner**

AN ACT concerning

**Pharmacists – Administration of Vaccinations – Expanded Authority**

FOR the purpose of altering the authority of pharmacists to administer certain vaccinations to certain individuals in accordance with certain regulations;



requiring the State Board of Pharmacy, in consultation with the Department of Health and Mental Hygiene, to adopt certain regulations; and generally relating to the authority of pharmacists to administer vaccinations.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 562 – Washington County Delegation**

AN ACT concerning

#### **Washington County – Volunteer Fire and Rescue Companies – Reimbursement of Costs**

FOR the purpose of authorizing the County Commissioners of Washington County to establish, by resolution or ordinance, a system of fees under which a volunteer fire department, rescue squad, or ambulance company in the county may charge for services rendered at an emergency fire or rescue incident under certain circumstances; authorizing a resolution or ordinance adopted under this Act to provide for the reimbursement of certain reasonable costs under certain circumstances; and generally relating to the reimbursement of costs by volunteer fire and rescue companies in Washington County.

BY adding to  
Article – Public Safety  
Section 7–404  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 563 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, and Summers**

AN ACT concerning

#### **Telecommunications Taxes – Reform Commission and Moratorium**

FOR the purpose of establishing the Telecommunications Tax Reform Commission; providing for the composition, chair, and staffing of the Commission; prohibiting

a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to assess the feasibility and fiscal implications of a competitively neutral telecommunications tax and fee system that eliminates the disparate treatment of similar telecommunications service providers; requiring the Commission to examine certain taxes and fees in conducting its assessment; requiring the Comptroller and the State Department of Assessments and Taxation to collect data from the State, local governments, and telecommunications service providers concerning revenue collected from current telecommunications taxes and fees; requiring that the data collected be provided to the Commission by a certain date; prohibiting certain data collected from telecommunications service providers from being publicly disclosed unless it is aggregated in a certain manner; requiring a State or local government agency or a telecommunications service provider to cooperate reasonably with data collection efforts under this Act; authorizing the Comptroller or the State Department of Assessments and Taxation to subpoena a State or local government agency or a telecommunications service provider that fails to cooperate reasonably with data collection under this Act; authorizing a petition to a circuit court to compel compliance with a subpoena; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; prohibiting the State or a county government from imposing a tax or fee on a telecommunications service that is not in effect on a certain date during a certain period; prohibiting the State or a county government from increasing a tax or fee on a telecommunications service above the amount in effect on a certain date during a certain period; defining a certain term; providing for the termination of this Act; and generally relating to the Telecommunications Tax Reform Commission.

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 564 – Delegate Glass**

AN ACT concerning

### **Harford County Property Tax Credit – Homes Near a Refuse Disposal System – Extension to Additional Properties**

FOR the purpose of extending the property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems to certain additional residential real property; providing for the application of this Act; and generally relating to a certain authorization for Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–314(a)(1)(x)

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–314(a)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 565 – Delegates Zucker, Hixson, Arora, Ivey, Kaiser, Luedtke,  
A. Miller, Mitchell, S. Robinson, Rosenberg, Ross, Stukes, Summers,  
Vaughn, Vitale, and Walker**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility – Child Support Payments**

FOR the purpose of authorizing the Child Support Enforcement Administration to send a certain certification to the State Department of Assessments and Taxation concerning certain child support obligors; requiring the Administration to send a certain notice to certain obligors; providing for the right of an obligor to challenge the Administration's certification by requesting an investigation within a certain time frame; requiring the Administration to conduct a certain investigation and notify the obligor of the outcome; requiring the Administration to correct a certain amount under certain circumstances; authorizing the Administration and obligor to negotiate a payment plan; prohibiting the Administration from notifying the Department under certain circumstances; requiring the Department to revoke the homestead property tax credit of certain homeowners under certain circumstances; prohibiting the Department from revoking the homestead property tax credit under certain circumstances; authorizing the Administration and the Department to adopt certain regulations; providing for the application of this Act; providing for a delayed effective date; and generally relating to eligibility of certain child support obligors for the homestead property tax credit.

BY adding to  
Article – Family Law  
Section 10–113.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(1), (5), and (7) through (9)  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–105(b)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 9–105(i–1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 566 – Delegates Healey, Carr, Frush, Holmes, and Norman**

AN ACT concerning

**Vehicle Laws – Lapsed Security – Restriction on Arrest and Impoundment of Vehicle**

FOR the purpose of prohibiting a police officer from arresting a person for the offense of driving or allowing another person to drive a motor vehicle that is not covered by the required security if the person provides documentary evidence that the required security is in effect; prohibiting a police officer from impounding a vehicle in certain circumstances; and generally relating to required security for motor vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 26–202

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 567 – Delegates Luedtke, Rosenberg, Barkley, Barve, Cullison, Gutierrez, Hucker, Ivey, A. Kelly, Reznik, Stukes, and Summers**

AN ACT concerning

**Education – Parent–Teacher Meetings – Unpaid Leave**

FOR the purpose of authorizing an employee to use unpaid leave to attend a parent–teacher meeting; requiring an employee to notify the employer a certain

number of days before the employee will use unpaid leave to attend a parent–teacher meeting; prohibiting an employee who uses unpaid leave under this Act from using more than a certain number of hours per parent–teacher meeting and using unpaid leave more than a certain number of times per each half of an academic year; authorizing an employer to require certain evidence under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to parent–teacher meetings.

BY adding to

Article – Education

Section 1–301 to be under the new subtitle “Subtitle 3. Parent–Teacher Meetings”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 568 – Delegate Rosenberg**

AN ACT concerning

#### **Sustainable Communities Tax Credit Program – Credit Allocation**

FOR the purpose of authorizing the allocation of the Sustainable Communities tax credit in a certain manner; providing for the application of this Act; and generally relating to the Sustainable Communities Tax Credit Program.

BY adding to

Article – State Finance and Procurement

Section 5A–303(c)(5)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 569 – Delegates Stein, Frush, McMillan, Myers, Norman, and Wilson**

AN ACT concerning

#### **Motor Vehicles – Motor Scooters, Mopeds, and Off–Highway Recreational Vehicles – Titling and Required Use of Protective Headgear**

FOR the purpose of requiring a motor scooter or moped in the State to be titled by the Motor Vehicle Administration; requiring an application for a certificate of title for a motor scooter or moped to be submitted electronically; requiring the Administration to issue a permanent decal to the owner of a motor scooter, a

moped, or an off-highway recreational vehicle for which a certificate of title is issued; requiring an owner of a motor scooter, a moped, or an off-highway recreational vehicle to display the decal in a certain manner; requiring a decal to display a unique number sequence assigned by the Administration; requiring the Administration to establish a certain fee for the decal and adopt certain regulations; prohibiting a person from operating a motor scooter, a moped, or an off-highway recreational vehicle unless the motor scooter, moped, or off-highway vehicle displays the decal in a certain manner; establishing a certain fee for a certificate of title issued for a motor scooter, a moped, or an off-highway recreational vehicle; establishing the criteria for determining the fair market value of a motor scooter or a moped for the purpose of determining the excise tax under certain circumstances; prohibiting a person from operating or riding on a motor scooter or an off-highway recreational vehicle unless the person is wearing certain protective headgear; altering certain definitions; clarifying that the defined term “bicycle” includes a moped; clarifying certain language; providing for a delayed effective date for this Act; and generally relating to vehicle titling and the required use of protective headgear for owners of motor scooters, mopeds, and off-highway recreational vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11-104, 11-176, 13-102, 13-104(a), 13-106, 13-802, 13-809(a)(2),  
21-1202, 21-1207.1, and 21-1207.2

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11-134.1, 11-134.5, 11-135, 13-101.1, and 13-809(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 570 – Delegates Davis, Haddaway-Riccio, Howard, Love, McHale,  
Schulz, Stifler, Vaughn, and Walker**

AN ACT concerning

### **Other Tobacco Products Licenses – Repeal**

FOR the purpose of repealing provisions of law related to the requirement that a person have a license whenever the person acts in the State as an other tobacco products manufacturer, retailer, storage warehouse, or wholesaler or tobacconist; repealing certain record-keeping and reporting requirements for an other tobacco products wholesaler; repealing the authority for the Comptroller to adopt regulations to require a common carrier that brings other tobacco

products into the State to submit certain information to the Comptroller; repealing certain requirements for a person who ships, imports, or sells other tobacco products into or within the State; repealing certain prohibitions on selling or shipping other tobacco products that are ordered or purchased by mail or through a computer network, telephonic network, or other electronic network; repealing certain prohibitions on delivery of other tobacco products directly to a consumer; requiring a person who transports other tobacco products by vehicle on a public road to have certain information in the vehicle; repealing references to provisions repealed under this Act; repealing the prohibition on a county, municipal corporation, special taxing district, or other political subdivision from imposing a tax on other tobacco products; repealing the requirement that a wholesaler shall complete and file with the Comptroller a tobacco tax return for other tobacco products on or before a certain day; requiring a wholesaler to complete and file with the Comptroller a tobacco tax return for other tobacco products on a date specified by the Comptroller in regulation; requiring the tobacco tax to be paid by the wholesaler who sells the other tobacco products to a consumer; requiring a retailer or consumer to pay the tobacco tax on other tobacco products on which the tobacco tax has not been paid; requiring the Comptroller to adopt regulations establishing a system of administering, collecting, and enforcing the tobacco tax on other tobacco products; providing for specific regulations which the Comptroller may adopt to establish a system of administering, collecting, and enforcing the tobacco tax on other tobacco products; repealing a requirement that a person subject to the tobacco tax post security as an other tobacco products wholesaler; altering a certain penalty for a person who willfully ships, imports, sells into or within, or transports within the State other tobacco products on which the tobacco tax has not been paid; altering the definition of certain terms; defining certain terms; and generally relating to the regulation of other tobacco products in the State.

BY repealing

Article – Business Regulation

Section 16.5–101 through 16.5–218 and the title “Title 16.5. Other Tobacco Products Licenses”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation

Section 16–217

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16–219

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 12–101, 12–102, 12–103, 12–104, 12–201, 12–202, 12–301, 12–302,  
13–825(h), and 13–1015  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 12–306  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 571 – Delegates Frick, Feldman, Barkley, Barve, Bobo, Cardin, George, Guzzone, Hixson, Huckler, Ivey, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, A. Miller, W. Miller, Minnick, Mizeur, Murphy, Reznik, Serafini, Stocksdale, Summers, Vaughn, Walker, and Zucker**

AN ACT concerning

**State Procurement – Banking Services Preference – Lend Local Act of 2012**

FOR the purpose of requiring the State Treasurer, when deciding whether to designate or make an agreement with a financial institution to provide certain banking services to the State or an agency of the State, to consider whether the financial institution is operating in the State with certain total assets and commits to make loans to small businesses in the State in an aggregate amount of at least a certain percentage of certain incremental funds; and generally relating to the procurement of banking services by the State.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–201(a), (b), (e), and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.



**House Bill 572 – Delegates George, Afzali, Aumann, Barnes, Bates, Beidle, Beitzel, Bohanan, Boteler, Burns, Clagett, Cluster, Costa, Davis, DeBoy, Dwyer, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Glass, Haddaway–Ricchio, Hershey, Hogan, Hough, Impallaria, Ivey, Jacobs, James, Kach, K. Kelly, Kipke, Krebs, Love, McComas, McConkey, McDermott, McMillan, W. Miller, Minnick, Murphy, Myers, Norman, O’Donnell, Olszewski, Otto, Parrott, Ready, B. Robinson, Schuh, Schulz, Serafini, Sophocleus, Stocksdale, Szeliga, Valentino–Smith, Vitale, Weir, Wood, and Zucker**

AN ACT concerning

**Elected Public Officials – Criminal Acts – Forfeiture or Suspension of Retirement Benefits**

FOR the purpose of subjecting certain retirement benefits of certain elected public officials to forfeiture under certain circumstances related to the conviction of or entry of a plea of nolo contendere for certain crimes; subjecting certain retirement benefits of certain elected public officials when charged with certain criminal offenses to suspension under certain circumstances; providing that certain elected public officials may have certain retirement benefits restored under certain circumstances; providing for the application of this Act; and generally relating to the forfeiture or suspension of certain retirement benefits of certain elected public officials after the charge of the commission of or the conviction of certain criminal offenses.

BY adding to

Article – State Personnel and Pensions

Section 41–101 to be under the new title “Title 41. Forfeiture or Suspension of Retirement Benefits”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 573 – Delegates K. Kelly, Cluster, Hough, McDermott, Smigiel, and Valentino–Smith**

AN ACT concerning

**Criminal Procedure – Bail Bondsman Solicitation – Penalty**

FOR the purpose of prohibiting an employee of a courthouse or correctional facility from performing certain acts on the grounds of a courthouse or correctional facility; clarifying that a certain person at a certain location may not approach, entice, or invite a person to use the services of a specific bail bondsman; altering the penalties for a violation of this Act; and generally relating to bail bondsmen.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–210  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 574 – Delegates Frick, Carr, Gutierrez, Hixson, Hucker, A. Kelly, Lee, Luedtke, Mizeur, and Waldstreicher**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Montgomery County  
Bikesharing Phase II**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$750,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 575 – Delegates Gutierrez, Bobo, Conway, Guzzone, Howard, Proctor, and Serafini**

AN ACT concerning

**Local Government Investment Pool – Authorized Participants**

FOR the purpose of renaming the Local Government Investment Pool to be the Investment Pool; expanding the list of participants that may place certain funds in the Investment Pool to include certain units of State government or certain entities created by the State in addition to certain local governmental entities; making stylistic changes; defining certain terms; and generally relating to investment pools.

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22G  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 576 – The Speaker (By Request – Administration) and Delegates  
Arora, Bohanan, Clagett, Gaines, Griffith, Healey, Hixson, Holmes,  
Howard, James, Jones, Lafferty, Lee, Love, A. Miller, Niemann, Proctor,  
Ross, Rudolph, Summers, and Washington**

AN ACT concerning

**Public–Private Partnerships**

FOR the purpose of establishing the policy of the State on public–private partnerships; altering provisions of law relating to public–private partnerships; authorizing a certain agency to establish a public–private partnership and execute a partnership agreement in connection with certain functions, services, or assets; requiring a certain agency to adopt certain regulations and establish certain processes for the development, solicitation, evaluation, award, and delivery of public–private partnerships; requiring certain legislative committees to review and comment on certain processes and regulations; requiring certain agencies to submit, on or before a certain date each year, certain reports to certain legislative committees; establishing certain requirements for certain reports; establishing deadlines for the review of certain presolicitation reports; requiring certain agencies to comply with certain requirements before issuing a solicitation for a public–private partnership; requiring a certain agency to make a certain responsibility determination concerning certain entities; requiring a certain agency to submit certain reports to certain officials and committees; prohibiting the Board of Public Works from approving a public–private partnership agreement until the completion of certain review by certain officials and committees; establishing deadlines for the review of public–private partnership agreements; requiring a certain agency to post a certain agreement on a certain Web site; requiring certain entities to provide performance bonds; prohibiting a public–private partnership agreement from exceeding a certain number of years, with certain exceptions; prohibiting noncompete agreements for certain assets; authorizing the award of certain compensation under certain circumstances; establishing certain requirements for a final public–private partnership agreement; requiring certain proceeds to accrue to certain funds; requiring a certain agency to post on the Internet a certain final agreement; authorizing a certain agency to establish by regulation certain application fees for certain unsolicited proposals; establishing certain requirements for certain unsolicited proposals; providing that certain provisions of the State ethics law do not preclude a certain individual or firm from entering into a certain agreement; exempting public–private partnerships from certain requirements of the State procurement law; repealing certain obsolete provisions; defining a certain term; altering certain definitions; providing for the application of this Act; and generally relating to public–private partnerships.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement

Section 10A–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – State Finance and Procurement  
Section 10A–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 10A–102 through 10A–104 to be under the new subtitle “Subtitle 1. Definitions; General Provisions”; 10A–201 through 10A–204 to be under the new subtitle “Subtitle 2. Solicited Proposals”; 10A–301 to be under the new subtitle “Subtitle 3. Unsolicited Proposals”; 10A–401 and 10A–402 to be under the new subtitle “Subtitle 4. Public–Private Partnership Agreements”; and 11–203(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Transportation  
Section 4–205 and 4–406  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Appropriations.

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 7 – Delegates Krebs, Elliott, Ready, and Stocksdale

A House Joint Resolution concerning

#### Legislative Districting Plan of 2012

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative  
Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive  
Nominations.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 55)

### **ADJOURNMENT**

At 11:25 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on  
Monday, February 6, 2012.

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**Annapolis, Maryland**  
**Monday, February 6, 2012**

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The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Szeliga of Baltimore and Harford counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 56)

The Journal of February 3, 2012 was read and approved.

**EXCUSES:**

Del. Barve – illness  
Del. Bobo – personal  
Del. Griffith – illness  
Del. Harrison – illness  
Del. Jameson – illness  
Del. McMillan – business  
Del. F. Turner – illness  
Del. V. Turner – illness

**INTRODUCTION OF BILLS**

**House Bill 577 – Delegate James**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Harford County – Nuttal  
Avenue Park**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for a certain grantee to present evidence that a matching fund will be provided; and requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA03(AI)

Read the first time and referred to the Committee on Appropriations.

**House Bill 578 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – School Facilities – Funding**

FOR the purpose of authorizing certain bonds, notes, or other obligations used for certain purposes in connection with certain school facilities in Baltimore City to be payable from revenues and receipts from a certain beverage container tax or certain other revenues; prohibiting certain revenues and receipts from being irrevocably pledged in a certain manner; making the obligation to make certain payments from certain revenues and receipts subject to an annual appropriation by the Mayor and City Council of Baltimore City; authorizing, under certain circumstances, a certain trust agreement or authorizing ordinance to pledge or assign certain revenues and receipts and a certain fund; defining certain terms; and generally relating to the use of revenues and receipts from a certain beverage container tax or other revenues dedicated to the construction of school facilities in Baltimore City.

BY adding to

The Charter of Baltimore City  
Article II – General Powers  
Section (50)(f)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Appropriations.

**House Bill 579 – Delegate Elliott**

AN ACT concerning

**Public Safety – Regulated Firearms – Exemption from Training Course**

FOR the purpose of providing an exemption from certain requirements to complete a certain firearms training course if an individual is a retired law enforcement officer of a unit of the federal government, the State, or any local law enforcement agency in the State; and generally relating to applicants for regulated firearms.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 5–119 and 5–134(c)

Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 580 – Delegate McConkey**

AN ACT concerning

**Anne Arundel County – School Board – Membership**

FOR the purpose of requiring that certain members of the Anne Arundel County Board of Education be elected; requiring that certain members of the county board be appointed; repealing certain provisions relating to a retention election for certain appointed members of the county board; establishing procedures for the election and appointment of certain members of the county board; providing for a nonpartisan election for certain members of the county board under certain circumstances; providing that a certain member elected to the county board from a certain geographic area but whose district boundaries subsequently are altered may remain as a member of the county board for a certain period; providing for the termination of the terms of certain members of the county board; and generally relating to contested elections for certain appointed members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108, 3–110, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 to be under the new subtitle “Subtitle 2A. Anne Arundel County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 581 – Delegates Bates, Afzali, Aumann, Elliott, Frank, George, Glass, Hogan, Krebs, McComas, Parrott, Ready, Stocksdales, Vitale, and Wood**

AN ACT concerning

**Income Tax – Expensing of Business Property and Bonus Depreciation**



FOR the purpose of limiting the applicability of certain Maryland income tax modifications for certain deductions for the cost of business property placed in service that is treated as an expense for federal income tax purposes; limiting the applicability of certain Maryland income tax modifications for a certain additional depreciation allowance under the federal income tax for business property placed in service; providing for the application of this Act; and generally relating to certain Maryland income tax modifications with respect to the federal income tax treatment of business property.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–210.1(b)(1) and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–310  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 582 – Delegate Barkley**

AN ACT concerning

#### **Vehicle Laws – Vehicles of Public Service Companies – Use of Yellow and Amber Lights**

FOR the purpose of authorizing vehicles of public service companies to be equipped with or display yellow or amber lights or signal devices; making conforming and stylistic changes; and generally relating to lighting equipment on vehicles of public service companies.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–201 and 22–218(c)(11)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–218(c)(6) and (e) and 22–227(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 583 – Delegates Elliott, Aumann, Bates, Bromwell, Burns, Clagett, Dwyer, Eckardt, Frank, Frush, George, Howard, Impallaria, Jacobs, Jameson, Kipke, Krebs, McComas, McConkey, W. Miller, O'Donnell, Otto, Ready, Smigiel, Sophocleus, Stocksdales, and Szeliga**

AN ACT concerning

**Vehicle Laws – Single Registration Plate**

FOR the purpose of requiring the Motor Vehicle Administration to issue a single registration plate to all classes of vehicles; providing for the method of attachment of the registration plate; making certain conforming changes; requiring the publisher of the Annotated Code to make certain corrections; and generally relating to vehicle registration plates.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–410 and 13–411  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 584 – Delegates Tarrant, Cullison, Kach, Krebs, Murphy, Reznik, and V. Turner**

AN ACT concerning

**Health Occupations – Physician Assistants – Patient's Access to Supervising Physician**

FOR the purpose of requiring certain patients to have access to certain physicians who supervise certain physician assistants under certain circumstances; and generally relating to a patient's access to a physician assistant's supervising physician.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 15–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 585 – Delegates Elliott, Aumann, Bates, Bromwell, Burns, Clagett, Dwyer, Eckardt, Frank, Frush, George, Howard, Impallaria, Jacobs, Jameson, Kipke, Krebs, McComas, W. Miller, O'Donnell, Otto, Ready, Smigiel, Sophocleus, Stocksdale, and Szeliga**

AN ACT concerning

**Vehicle Laws – Single Registration Plate – Specified Vehicles**

FOR the purpose of requiring the Motor Vehicle Administration to issue a single registration plate to the owner of a vehicle that was manufactured without a means to secure and display a front registration plate; requiring the Administration to adopt regulations establishing a means to verify, when issuing a registration plate for a certain type of vehicle, that the vehicle was manufactured without a means to secure and display a front registration plate; requiring the Administration to adopt regulations establishing, for law enforcement purposes, a means of indicating on a vehicle for which only one registration plate was issued under this Act that only one registration plate is required to be displayed on the vehicle; and generally relating to vehicle registration plates.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–410(a) and 13–411(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–411(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 586 – Delegates Bates, Afzali, Aumann, Burns, Elliott, Glass, Jameson, Kipke, Krebs, McComas, McDonough, Parrott, Schuh, Sophocleus, Stocksdale, and Wood**

AN ACT concerning

**Death Penalty – Evidentiary Requirements – Murder in the First Degree  
Committed in a Correctional Facility**

FOR the purpose of establishing that the requirement that a defendant found guilty of murder in the first degree may be sentenced to death only if the State presents

certain evidence does not apply if the defendant committed the murder while confined in a correctional facility; and generally relating to the death penalty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–202  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 587 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Law – Contraband – Telecommunication Devices – Penalty**

FOR the purpose of prohibiting a person from attempting to deliver a telecommunication device to a person detained or confined in a certain place of confinement; increasing the penalty for a certain person who knowingly possesses or receives a telecommunication device; increasing the penalty for certain subsequent violations; requiring a certain sentence to be served consecutive to another sentence; prohibiting a certain sentence from being suspended; and generally relating to the prohibition against telecommunication devices in a place of confinement.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 9–417  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 588 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Maryland Parole Commission – Eligibility for Parole**

FOR the purpose of altering certain conditions under which certain inmates are eligible to be granted parole; and generally relating to parole eligibility for inmates.

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 7–301(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 589 – Delegates A. Miller, McComas, Stein, Beidle, Arora, Hixson,  
Howard, Ivey, Lee, Luedtke, S. Robinson, Stukes, and Waldstreicher**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Mephedrone**

FOR the purpose of listing mephedrone and certain similar chemical compounds on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to controlled dangerous substances and mephedrone.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 590 – Chair, Ways and Means Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Horse Racing – Maryland Standardbred Race Fund Advisory Committee –  
Registration of Horses**

FOR the purpose of altering a method by which a horse may be registered with the Maryland Standardbred Race Fund Advisory Committee to enable the horse to start in a race of the Foaled Stakes Program; and generally relating to horse racing and the Maryland Standardbred Race Fund Advisory Committee.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 11–623(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 11–632  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 591 – Delegates Eckardt, Haddaway–Ricchio, Beidle, Mitchell, and Rudolph**

AN ACT concerning

**Criminal Procedure – Community–Based Organizations – Registered Sex Offender Prohibition**

FOR the purpose of prohibiting certain registrants from entering onto real property that is owned or operated by a community–based organization that provides recreational activities for children under certain circumstances; and generally relating to registered sex offender prohibitions and community–based organizations.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–722  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 592 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Tax Credit for Businesses That Create New Jobs – Enhanced Credit – Extension**

FOR the purpose of extending the duration of certain property tax and State tax credits granted to certain business entities that construct or expand certain business premises under certain circumstances; declaring the intent of the General Assembly; providing for the application of this Act; and generally relating to property and State tax credits granted to certain business entities.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–230(d)  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 593 – Delegates Haddaway–Riccio and Eckardt**

AN ACT concerning

**Natural Resources – Public Shellfish Fishery Area – Standards**

FOR the purpose of requiring the Department of Natural Resources to establish areas in the Chesapeake Bay as part of the public shellfish fishery area if the areas have a certain density of oysters; and generally relating to standards for the establishment of the public shellfish fishery area.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–11A–01(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–11A–04  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 594 – Delegates McIntosh, Anderson, and Washington**

AN ACT concerning

**Department of Natural Resources – Pamela J. Kelly Tree–Mendous Maryland Program**

FOR the purpose of declaring the intent of the General Assembly; establishing the Pamela J. Kelly Tree–Mendous Maryland Program in the Department of Natural Resources for a certain purpose; providing for the administration of the Program; authorizing the Department to adopt certain regulations to carry out the Program; providing for the funding of the Program; authorizing the Department to seek, accept, and expend certain funds under certain circumstances; requiring certain money received for the Program to be used in a certain manner; defining a certain term; and generally relating to the Pamela J. Kelly Tree–Mendous Maryland Program.

BY adding to

Article – Natural Resources

Section 5–433 through 5–436 to be under the new part “Part VI. Pamela J. Kelly  
Tree–Mendous Maryland Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 595 – Delegate Haddaway–Riccio**

AN ACT concerning

#### **Alcoholic Beverages – Manufacturer’s Licenses**

FOR the purpose of specifying that a holder of a certain alcoholic beverages manufacturer’s license may apply for and obtain certain additional manufacturer’s licenses of the same or of a different class for the same premises or elsewhere; and generally relating to manufacturer’s alcoholic beverages licenses.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–201

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 596 – Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly, Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker**

AN ACT concerning

#### **Child with a Disability – Individualized Education Program Meeting – Document Access**

FOR the purpose of altering the period of time before a certain meeting that appropriate school personnel must provide a copy of certain documents relating to the development of an individualized education program for a child with a disability to the parents of the child; and generally relating to a meeting of the individualized education program team.

BY repealing and reenacting, with amendments,

Article – Education

Section 8–405(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Ways and Means.

**House Bill 597 – Chair, Ways and Means Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and  
Impact Aid**

FOR the purpose of extending the time within which a mile thoroughbred racetrack licensee shall pay to the State Racing Commission the State tax imposed on the gross amount, less refunds, of money bet at the track for each racing day; extending the time in which a certain mile thoroughbred licensee shall pay to the Commission \$1,000 of the impact aid to be paid to certain political subdivisions for intertrack betting for each day of intertrack betting; and generally relating to horse racing and the State Racing Commission.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–509 and 11–812  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 598 – Delegates McComas, Afzali, Clippinger, Frush, Kach,  
McDonough, B. Robinson, Sophocleus, Stocksdales, and Vitale**

AN ACT concerning

**Juvenile Law – Taking Child into Custody – Arrest Warrant**

FOR the purpose of authorizing a law enforcement officer to take a child into custody with an arrest warrant issued by the court; and generally relating to the authority of a law enforcement officer to take a child into custody.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–14  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 599 – Delegates McComas, Afzali, Alston, Elliott, Frank, Glass, Hogan, Howard, Impallaria, Kach, Krebs, McConkey, Ready, B. Robinson, Schulz, Simmons, Stocksdales, and Szeliga**

AN ACT concerning

**Elections – Study Commission on the Redistricting Process in Maryland**

FOR the purpose of establishing a Study Commission on the Redistricting Process in Maryland; specifying the composition, powers, and duties of the Commission; providing for the staffing of the Commission; requiring the Commission to report its findings and recommendations, including suggested constitutional and legislative changes, to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Study Commission on the Redistricting Process.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 600 – Delegates Zucker, Anderson, Barve, Branch, Clippinger, Glass, Haynes, Howard, Ivey, Kaiser, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Ready, S. Robinson, Rosenberg, Ross, Serafini, Stukes, Vaughn, Walker, and Washington**

AN ACT concerning

**Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for income from the discharge of certain indebtedness related to certain costs incurred with respect to a principal residence; providing that the amount of the subtraction may not exceed a certain amount for certain taxpayers; providing for an addition modification if a property is sold or exchanged under certain circumstances; providing for the application and termination of this Act; and generally relating to an income tax subtraction modification for income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–205(a) and 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k) and 10–208(r)  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 601 – Delegates Zucker, Luedtke, Kaiser, Arora, Cullison, and Kramer**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Olney Police Satellite Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$10,000, the proceeds to be used as a grant to the Advisory Board of the Olney Police Satellite Station Fund for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 602 – Delegates Bobo, Arora, Barkley, Barve, Cardin, Carr, Donoghue, Dumais, Gilchrist, Hubbard, Hucker, Kaiser, Mizeur, Reznik, S. Robinson, Simmons, and Zucker**

AN ACT concerning

**Campaign Finance – Affiliated Business Entities – Attribution of Contributions**

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–226(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 603 – Delegates Stukes, Anderson, Mitchell, and B. Robinson**

AN ACT concerning

**Baltimore City – Charitable Gaming Events – For-Profit and Nonprofit Organizations**

FOR the purpose of authorizing in Baltimore City a for-profit organization to hold a charitable gaming event with a certain nonprofit organization under certain conditions; authorizing a charitable gaming event to include card games, dice games, and roulette; requiring that a for-profit organization and nonprofit organization be issued a permit before conducting a charitable event; requiring that a person who works as an operator of the charitable gaming event be named on the permit; requiring the Baltimore City Police Commissioner to take certain actions before issuing a permit; requiring the Commissioner to make certain permit applications a matter of public record; prohibiting an individual or group of individuals to receive certain benefits; allowing permit holders to pay for certain goods and services; limiting the number of charitable gaming events that permit holders may conduct in a calendar year; requiring permit holders to submit certain documents to the Commissioner and the Department of Finance; prohibiting permit holders from offering or awarding certain prizes; requiring the Commissioner to adopt certain regulations; making a violation of this Act a misdemeanor; providing a certain penalty; defining certain terms; and generally relating to charitable gaming events in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–501(a) and (b) and 13–502  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–505.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 604 – Delegates Parrott, Afzali, Aumann, Bates, Beitzel, Boteler, Burns, DeBoy, Dwyer, Eckardt, Elliott, Frush, George, Glass, Hogan, Hough, Impallaria, Kach, Kipke, Krebs, McDonough, Niemann, Ready, B. Robinson, Serafini, Sophocleus, Stifler, Stocksdale, Vitale, and Wood**

AN ACT concerning

**Justice’s Law**

FOR the purpose of expanding the list of persons who can be convicted of first-degree child abuse under certain circumstances; increasing the maximum penalty for

first-degree child abuse resulting in death of the victim; increasing the maximum penalty for a subsequent conviction of child abuse resulting in death of the victim; and generally relating to child abuse.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–601  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 605 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, Stukes, and Washington**

AN ACT concerning

**Transportation – Baltimore Corridor Red Line Transit Study**

FOR the purpose of updating the fiscal years included in the Maryland Consolidated Transportation Program referencing the transit project known as the “Baltimore Corridor Transit Study – Red Line” for purposes of continuing to apply certain provisions of law that specify certain factors that the Maryland Transportation Administration, in conducting the transit project, must consider and that prohibit the Administration from acquiring certain real property under certain circumstances; prohibiting a Red Line related modification from being made to the portion of Interstate 70 that is east of Interstate Highway 696 unless the Maryland Transit Administration and the State Highway Administration conduct a certain community impact study; and generally relating to the Baltimore Corridor Transit Study.

BY repealing and reenacting, with amendments,  
Chapter 2 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009  
Section 1

BY repealing and reenacting, with amendments,  
Chapter 3 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009  
Section 1

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 606 – Delegates Pena–Melnyk, Braveboy, Frush, A. Kelly, Niemann, Rosenberg, and Vitale**

AN ACT concerning

**Education – School Vehicle – On-Board Attendant**

FOR the purpose of prohibiting an individual from serving as a school vehicle on-board attendant, unless the attendant is a certain employee, or has certain authorization, and is in possession of certain identification; authorizing the Motor Vehicle Administration to adopt regulations concerning qualifications of school vehicle on-board attendants with the advice of the State Department of Education; and generally relating to school vehicle on-board attendants.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–816  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 607 – Delegates Hucker, Aumann, Barkley, Bobo, Burns, Carr, Dumais, Elliott, Frush, Gutierrez, Haddaway-Riccio, Impallaria, A. Kelly, Kramer, Krebs, Lafferty, W. Miller, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Szeliga, and Waldstreicher**

AN ACT concerning

**National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements**

FOR the purpose of requiring the business owner of a privately owned bus station or truck stop located in the State to post in restrooms in a certain manner a certain sign that provides National Human Trafficking Resource Center Hotline information; requiring a certain agency that determines a certain violation has occurred to provide a certain notice to the business owner of a bus station or truck stop or the business owner's agent; subjecting a business owner of a bus station or truck stop that violates the sign posting requirement to a certain civil penalty if certain signs are not posted within a certain period of time after the business owner receives a certain notice; specifying that, for each restroom in which the business owner fails to post a sign in accordance with this Act, the business owner is subject to a separate civil penalty; requiring the State Highway Administration to post in a certain manner a certain sign that provides National Human Trafficking Resource Center Hotline information in the restrooms at rest areas within the right-of-way of any interstate or State highway; defining a certain term; and generally relating to sign posting requirements for National Human Trafficking Resource Center Hotline information.

BY adding to

Article – Business Regulation  
Section 19–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 8–655  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 608 – Delegates Arora, Alston, Clippinger, Cluster, Cullison, Dwyer, George, Hough, McDermott, Parrott, B. Robinson, Valentino-Smith, and Wilson**

AN ACT concerning

**Drunk and Drugged Driving – Minor in Vehicle**

FOR the purpose of requiring individuals who are convicted of certain alcohol-related driving offenses involving transportation of a minor to successfully complete the Ignition Interlock System Program; altering certain criminal penalties for a conviction for certain alcohol- or drug-related driving offenses involving transportation of a minor; and generally relating to certain alcohol- or drug-related driving offenses involving transportation of a minor.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–404.1(a)(1), (4), and (5) and (d)(1)(ii) and 21–902(a) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(d)(1)(i) and 27–101(q)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 609 – Delegates B. Robinson, Anderson, Cardin, Clippinger, Conaway, DeBoy, Glenn, Harrison, McIntosh, Mitchell, Morhaim, Nathan-Pulliam, Oaks, Reznik, Rosenberg, Stein, Stukes, Tarrant, and Washington**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Patricia and Arthur Modell  
Performing Arts Center at the Lyric**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Lyric Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 610 – Delegates Weir, Norman, and Wilson**

AN ACT concerning

**Real Property – Landlord Defenses in Nuisance Actions**

FOR the purpose of establishing a complete defense to any nuisance action brought under State or local law against a landlord if the tenant's actions are the basis for the action and certain actions have been taken by the landlord or the District Court in a suit to repossess the premises based on a breach of the lease; and generally relating to landlord defenses in nuisance actions.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–402.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 611 – Delegates Wilson, Haynes, Holmes, Jameson, Oaks, and  
Wood**

AN ACT concerning

**Criminal Law – Use of Proceeds of Drug Crime – Repeal of Exception for  
Person's Right to Representation**

FOR the purpose of repealing, from the prohibition on engaging in certain financial transactions involving the proceeds of a drug crime, the exception for a financial



transaction necessary to preserve a person's right to legal counsel; and generally relating to the use of the proceeds of a drug crime.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–623(b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 612 – Delegate Anderson**

AN ACT concerning

**Baltimore City – Education – Public School Facilities and Construction Bond Authority**

FOR the purpose of altering the maximum aggregate principal amount of school construction bonds that the Baltimore City Board of School Commissioners may issue; and generally relating to public school facilities and the issuance of bonds for school construction in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 4–306.2(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.2(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 613 – Delegates Rosenberg, Mitchell, Branch, George, Ivey, Kaiser, Luedtke, Ross, and Walker**

AN ACT concerning

**Loan Assistance Repayment Program – Nancy Grasmick Teacher Scholars**

FOR the purpose of establishing the Nancy Grasmick Teacher Grant in the Janet L. Hoffman Loan Assistance Repayment Program; requiring the Office of Student Financial Assistance to assist in the repayment of certain higher education

loans owed by certain individuals who receive certain degrees from certain institutions of higher education in the State or out of the State; requiring the Office to assist in the repayment of the amount of any higher education loan owed by certain public school teachers in the State who teach certain subjects or teach in certain schools for a certain amount of time; providing that a recipient of a Nancy Grasmick Teacher Grant shall be known as a Nancy Grasmick Teacher Scholar; requiring that certain regulations establishing priority for participation in the Janet L. Hoffman Loan Assistance Repayment Program include an individual who qualifies for a Nancy Grasmick Teacher Grant and meets other specified qualifications; and generally relating to the creation of the Nancy Grasmick Teacher Grant in the Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–1501, 18–1504, and 18–1505

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–1502 and 18–1503

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 614 – Delegates Arora, Cluster, Kramer, McDermott, Parrott, B. Robinson, Stocksdales, and Wood**

AN ACT concerning

### **Juvenile Sex Crime Victims' Notice Act**

FOR the purpose of requiring the Department of Juvenile Services to disclose to a victim or victim's representative the home address, school, or place of employment of a child respondent on probation under certain circumstances; requiring a certain confinement unit to disclose to a victim or victim's representative the home address, school, or place of employment of a child respondent under certain circumstances; specifying that certain provisions of law concerning the confidentiality of juvenile records do not prohibit the disclosures authorized by this Act; and generally relating to victims' rights.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–27

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–507 and 11–508  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 615 – Delegate Barnes**

AN ACT concerning

#### **Workers' Compensation – Occupational Disease Presumption – Duty Belt Worn by Law Enforcement**

FOR the purpose of providing that certain paid police officers and certain paid deputy sheriffs are presumed to be suffering from an occupational disease for a lower back impairment under the workers' compensation law under certain circumstances; providing that the presumption shall apply only if the police officers and deputy sheriffs subject to this Act have been employed for a certain period of time and were required, as a condition of employment, to wear a certain duty belt; requiring that the presumption extends to the police officers and deputy sheriffs subject to this Act for a certain period of time following a certain termination of services; providing that the presumption is disputable and may be controverted by other evidence; and generally relating to an occupational disease presumption under the workers' compensation law for a lower back impairment suffered by certain paid police officers and paid deputy sheriffs required to wear a duty belt.

BY adding to  
Article – Labor and Employment  
Section 9–503(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–503(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 616 – Delegate Barnes**

AN ACT concerning

**Workers' Compensation – Approval of Legal Services Fee – Cases Involving  
Medical Expenses**

FOR the purpose of requiring the Workers' Compensation Commission to approve a fee for legal services under certain circumstances; prohibiting a certain fee for legal services awarded by the Commission from exceeding a certain amount; and generally relating to the approval by the Workers' Compensation Commission of fees for legal services.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–731  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 617 – Delegates Hough, Afzali, Hogan, and Schulz**

AN ACT concerning

**Education – Informal Kinship Care – Documentation Supporting Affidavit –  
Repeal**

FOR the purpose of repealing the requirement that certain supporting documentation accompany a certain affidavit verifying to a certain county superintendant of schools that a child is living in an informal kinship care arrangement for certain school attendance purposes; repealing a requirement that certain instructions explain the necessity of and encourage the submission of certain supporting documentation; and generally relating to the repeal of requirements for documentation supporting an affidavit of informal kinship care for educational purposes.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 618 – Delegates Simmons, Dumais, and Kramer**

AN ACT concerning

**Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms**

FOR the purpose of establishing a Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms; providing for the membership, staffing, and duties of the Task Force; requiring the Governor to appoint the chair of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the Governor and the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the establishment of a Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms.

Read the first time and referred to the Committee on Judiciary.

**House Bill 619 – Delegates Weir, Minnick, and Wilson**

AN ACT concerning

**Real Property – Right to Redemption of Leased Premises – Forms of Payment**

FOR the purpose of authorizing a landlord or mobile home park owner to require a tenant or mobile home park resident to tender certain forms of payment in order to exercise the tenant's or resident's right to redemption of leased premises under certain circumstances; prohibiting a landlord or mobile home park owner from prohibiting a certain form of payment if certain notice requirements are not met; and generally relating to the right to redemption of leased premises.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–401(e) and 8A–1701(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore City  
Section 9–5(b)(1)  
Article 4 – Public Local Laws of Maryland  
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 620 – Delegates Oaks, Bates, Bobo, Carter, Costa, Cullison, Donoghue, Eckardt, Feldman, Frank, Gutierrez, Haddaway–Riccio, Harrison, Howard, Hubbard, James, Kach, A. Kelly, Kipke, Krebs, McIntosh, Mizeur, Murphy, Nathan–Pulliam, O'Donnell, Pena–Melnik,**

**Ready, B. Robinson, Stukes, Tarrant, V. Turner, Washington, and Wilson**

AN ACT concerning

**Health Occupations – State Board of Naturopathic Medicine**

FOR the purpose of establishing the State Board of Naturopathic Medicine; specifying the composition of the Board; specifying the terms of a Board member; requiring the Governor to appoint a new member, under certain circumstances, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Board to elect a chair and any other officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to determine the times and places of its meetings; specifying that a Board member is entitled to certain compensation and reimbursement; authorizing the Board to employ a staff under certain circumstances; authorizing the Board to adopt certain regulations and appoint certain committees; specifying the duties of the Board; establishing the State Board of Naturopathic Medicine Fund; authorizing the Board to set reasonable fees under certain circumstances; requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes; specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; requiring the Legislative Auditor to audit the accounts and transactions of the Fund; specifying that a person who gives information to the Board or otherwise participates in its activities has a certain immunity from liability; requiring, beginning on a certain date, certain individuals to have a certain license before practicing naturopathic medicine in the State; prohibiting the Board from discriminating against an applicant or licensee for certain reasons; requiring an individual to meet certain requirements to qualify for a license; authorizing the Board to waive certain examination requirements under certain circumstances; requiring an applicant to submit certain information to the Board and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; specifying that a license authorizes a licensee to order certain tests, order and perform certain examinations, and dispense, administer, order, prescribe, or perform other certain therapies and medicines, utilize certain routes of administration, and administer, order, or prescribe prescription drugs under certain circumstances; specifying that a license does not authorize a licensee to prescribe or administer certain substances or devices, perform certain procedures, use certain anesthetics, or take certain other actions; specifying that the Board may authorize a licensee to perform only certain procedures or prescribe certain drugs under certain circumstances;

specifying the term of a license; requiring the Board to send certain information to licensees a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status under certain circumstances; requiring the Board to issue a license to a naturopathic physician who is on inactive status under certain circumstances; requiring the Board to reinstate the license of a naturopathic physician who failed to renew the license under certain circumstances; prohibiting a licensed naturopathic physician from surrendering a license under certain circumstances; establishing the Naturopathic Formulary Council; specifying the membership of the Council; requiring the Council to establish a naturopathic formulary, transmit the formulary to the Board, and review the formulary under certain circumstances; prohibiting the formulary from including certain medicines or drugs and devices under certain circumstances; prohibiting a naturopathic physician from administering or prescribing certain drugs and devices unless the drug or device is included in the formulary; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; authorizing the Board to assess a certain monetary penalty on a person that fails to file a certain report; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; specifying that certain investigations, reports, and recommendations are confidential under certain circumstances; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with certain provisions of law; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period; requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; prohibiting the Board from reinstating a certain license under certain circumstances; requiring a licensed naturopathic physician to follow certain federal, State, and local laws; authorizing a licensed naturopathic physician to receive a certain fee; requiring a naturopathic physician to display a certain notice under certain circumstances; prohibiting an individual from practicing naturopathic medicine in the State without a license; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; establishing a certain short title; specifying that this Act does not limit certain rights of certain individuals; specifying the purposes of certain provisions of this Act; requiring the Board to hold its first Board meeting within

a certain time period after the Governor has appointed the initial Board members; providing for the terms of the initial Board members; stating the intent of the General Assembly regarding the initial funding of the Board; requiring the Board to reimburse the General Fund under certain circumstances; providing for the termination of this Act under certain circumstances; defining certain terms; and generally relating to the State Board of Naturopathic Medicine and the licensing of naturopathic physicians.

BY renumbering

Article – State Government  
Section 8–403(b)(40) through (68), respectively  
to be Section 8–403(b)(41) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 7.5–101 through 7.5–802 to be under the new title “Title 7.5.  
Naturopathic Physicians”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–722  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(40)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 621 – Delegates Barnes, Arora, Barkley, Bobo, Frush, Healey, Hubbard, Hucker, Lafferty, Love, Niemann, Pena–Melnyk, Vaughn, Walker, and Wilson**



AN ACT concerning

**Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child**

FOR the purpose of prohibiting the driver of a motor vehicle in which a person who is under a certain age is a passenger from smoking a tobacco product or allowing a passenger to smoke in the motor vehicle; establishing a penalty for a violation of this Act; providing that a violation of this Act is not a moving violation; providing for the application of this Act; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to

Article – Transportation  
Section 21–1130 and 27–115  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 622 – Delegates Wilson, Anderson, Bohanan, Conaway, DeBoy, Holmes, Jameson, Oaks, Tarrant, V. Turner, Valentino–Smith, Vaughn, and Wood**

AN ACT concerning

**Criminal Law – Knowingly Transferring the HIV Virus to Another Individual – Felony**

FOR the purpose of altering the classification of the crime of knowingly transferring or attempting to transfer the human immunodeficiency virus (HIV) to another individual from a misdemeanor to a felony; increasing the maximum penalty for the crime of knowingly transferring or attempting to transfer HIV to another individual; and generally relating to the knowing transfer of the human immunodeficiency virus.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 18–601.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 623 – Delegates Haddaway–Ricchio, Cane, Conway, Eckardt, Hershey, Jacobs, Jameson, McDermott, Otto, Rudolph, and Smigiel**

AN ACT concerning

**Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting**

FOR the purpose of authorizing a certain electric cooperative to provide notice of each meeting of its members by electronic transmission under certain circumstances; authorizing a certain person to waive notice of a meeting of the members of an electric cooperative by electronic transmission under certain circumstances; authorizing voting by members of an electric cooperative by electronic transmission under certain circumstances; requiring, under certain circumstances, the bylaws of an electric cooperative to establish the conditions under which voting by electronic transmission is allowed; and generally relating to electric cooperatives.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 1–101(a) and (m)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–617 and 5–619  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 624 – Delegates Simmons, Anderson, and Stukes**

AN ACT concerning

**Criminal Procedure – Notice of Eligibility for Expungement**

FOR the purpose of requiring the court, in a criminal case, to provide the defendant with a brochure containing certain information relating to expungement when all of the charges against the defendant are disposed of in a certain manner; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to expungement.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–232  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–232  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 337 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Judiciary.

**House Bill 625 – Delegates Haddaway–Riccio and Eckardt**

AN ACT concerning

**Critical Area Commission – Planting Credits – Warm Season Grass**

FOR the purpose of requiring that warm season grasses be eligible for certain planting credits; requiring that warm season grasses receive planting credits of a similar weight and value as certain vegetation types; requiring that warm season grasses be eligible for planting credits regardless of the acreage planted; requiring the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to adopt certain regulations; defining a certain term; and generally relating to mitigation and planting standards for warm season grasses in the Critical Area.

BY adding to  
Article – Natural Resources  
Section 8–1808.12  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 57)

**ADJOURNMENT**

At 8:26 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 7, 2012.

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**Annapolis, Maryland**  
**Tuesday, February 7, 2012**

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The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon S. Cardin of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 58)

The Journal of February 6, 2012 was read and approved.

**EXCUSES:**

Del. Alston – personal

Del. Barnes – business

Del. Barve – illness

Del. Cane – doctor’s appointment

Del. Griffith – illness

**INTRODUCTION OF BILLS**

**House Bill 626 – Delegate Kipke**

AN ACT concerning

**Environment – Discharge of Pollutants – Permit Exemption**

FOR the purpose of exempting a person from having to hold a certain discharge permit for a facility, outlet, or establishment that makes a certain amount of a concrete product under certain circumstances; making a stylistic change; and generally relating to the discharge of pollutants into waters of the State.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–323

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 627 – Delegate Hubbard**

AN ACT concerning

**Food Service Facilities and Retail Establishments – Artificial Trans Fats –  
Prohibition**

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting a food service facility from using food containing artificial trans fat for certain purposes; providing for a certain exception to the use of trans fat by a food service facility; prohibiting a retail establishment from selling certain food containing artificial trans fat beginning on a certain date; requiring a food service facility or retail establishment to maintain on-site the original label for certain food under certain circumstances; authorizing a food service facility to provide certain documentation indicating the contents of a food instead of providing the original label; requiring a food service facility to obtain certain documentation under certain circumstances; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to list certain food service facilities and retail establishments on the Department's Web site under certain circumstances; providing that a violation of this Act shall have no effect on the issuance of a certain license; providing for the applicability of this Act to certain penalties; providing that this Act preempts certain local laws and ordinances; defining a certain term; and generally relating to the prohibition on the use of artificial trans fat in a food service facility.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21-301(e), (f), and (h) and 21-304(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21-314, 21-315, 21-318, and 21-1214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 21-352 through 21-357 to be under the new part “Part VIII. Artificial  
Trans Fat”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 628 – Delegates Carr, Beidle, Braveboy, Cullison, Gutierrez, Hixson, Hucker, Kramer, A. Miller, Mizeur, Niemann, Pena–Melnyk, Simmons, Valentino–Smith, and Waldstreicher**

AN ACT concerning

**Street Lighting – Purchase of Equipment by Local Government and Tariffs**

FOR the purpose of requiring a local government to pay a certain electric company the fair market value of certain street lighting equipment as determined by an agreement between the local government and the electric company or as determined in a condemnation proceeding under certain circumstances; authorizing a local government to include all street lighting equipment that the local government seeks to acquire in its jurisdiction that is owned by one electric company in a single petition of condemnation under certain circumstances; requiring a jury in a certain condemnation proceeding to consider certain factors in determining fair market value of street lighting equipment under certain circumstances; requiring the Public Service Commission to require each electric company to develop one or more tariffs for certain street lighting; requiring certain tariffs to include certain pole attachment fees, agreements, or services under certain circumstances; and generally relating to the acquisition of street lighting equipment by a local government from an electric company and tariffs for street lighting.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–101  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 629 – Delegates Bobo, Carr, Donoghue, Frush, Healey, Hubbard, K. Kelly, Luedtke, and Stukes**

AN ACT concerning

**Maryland Renter’s Property Tax Relief Program**

FOR the purpose of altering eligibility for certain property tax relief provided to certain real property renters; providing for the application of this Act; and generally relating to a certain renter's property tax relief program.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 630 – Delegates Haynes, Anderson, Barkley, Clagett, DeBoy, Gaines, Guzzone, Hubbard, and James**

AN ACT concerning

**State Retirement and Pension Systems – Reemployment of Retirees – Parole and Probation Employees**

FOR the purpose of exempting certain individuals who are retirees of the Employees' Retirement System or the Employees' Pension System from certain earnings offsets under certain circumstances if the individuals are reemployed as parole and probation employees; and generally relating to reemployment of certain retirees of the Employees' Retirement System or Employees' Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(4)(viii) and (ix) and 23–407(c)(4)(vi) and (vii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 22–406(c)(4)(x) and 23–407(c)(4)(viii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 631 – Delegates Wilson, Anderson, Arora, Bohanan, Clippinger, Conaway, DeBoy, Fisher, Haynes, Holmes, Jameson, Oaks, S. Robinson, Tarrant, V. Turner, Valentino–Smith, Vallario, Vaughn, Washington, and Wood**

AN ACT concerning

**Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police**

FOR the purpose of prohibiting a person from falsely representing that the person is a member of the Washington Metropolitan Area Transit Authority (WMATA) Metro Transit Police under certain circumstances; prohibiting a person from having, using, wearing, or displaying a certain identification or simulation or imitation of a certain identification of a member of the WMATA Metro Transit Police except under certain circumstances; authorizing a person to have a certain identification with the appropriate authority of the WMATA Metro Transit Police; altering a certain definition; and generally relating to impersonating a member of the WMATA Metro Transit Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–502  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 632 – Delegate Stukes**

AN ACT concerning

**Business Regulation – Sale of Motor Fuel – Amount Charged**

FOR the purpose of prohibiting a certain retail service station dealer from charging more than a certain amount above a certain cost for the price of motor fuel; requiring the Comptroller to investigate a complaint alleging a violation of this Act and take certain actions to enforce this Act; and generally relating to the amount charged for the sale of motor fuel.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 10–304.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 633 – Delegates Cardin, Morhaim, and Stein**

AN ACT concerning



**Creation of a State Debt – Baltimore County – Owings Mills High School Stadium**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the President of the Owings Mills Sports Boosters, Inc. c/o Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 8 – Delegate Hubbard**

A House Joint Resolution concerning

**Legislative Districting Plan of 2012**

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 23 – Senator Reilly**

AN ACT concerning

**Public Safety – Elevator Safety Review Board – Membership**

FOR the purpose of altering the membership of the Elevator Safety Review Board to add a member representing the elevator interior renovation industry ~~and a member who is an accessibility contractor~~; and generally relating to the membership of the Elevator Safety Review Board.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–820(a)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 30 – Senators Klausmeier and Kittleman**

AN ACT concerning

**Injured Workers’ Insurance Fund – Cancellation of Policies – Failure to Pay a Premium**

FOR the purpose of altering the manner in which the Injured Workers’ Insurance Fund may cancel policies when a policyholder has failed to pay a premium; repealing a requirement that the Board for the Injured Workers’ Insurance Fund refer cases for collection to the Office of the Attorney General; and generally relating to the cancellation and collection procedures of the Injured Workers’ Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 19–406  
Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–118, 10–133, and 10–135  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 49 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund – Administration**

FOR the purpose of authorizing the Maryland Racing Commission to allocate a portion of the Maryland–Bred Race Fund for horses conceived, but not necessarily foaled, in Maryland; altering the amount of the Fund the Commission may allocate for certain horse races; requiring the Commission to set the amount of certain breeder awards for races in the State and outside the State; making a technical change; and generally relating to horse racing and the Maryland–Bred Race Fund.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 11–529  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–535(d) and 11–539(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland Health Insurance Plan) and Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh**

AN ACT concerning

**Senior Prescription Drug Assistance Program – Sunset Extension**

FOR the purpose of extending the termination date of the Senior Prescription Drug Assistance Program; altering the period of time during which the subsidy required under the Senior Prescription Drug Assistance Program may not exceed a certain amount; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106(e)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 153 of the Acts of the General Assembly of 2002, as amended by Chapter 282 of the Acts of the General Assembly of 2005, Chapter 345 of the Acts of the General Assembly of 2006, Chapter 509 of the Acts of the General Assembly of 2007, Chapter 558 of the Acts of the General Assembly of 2008, and Chapter 119 of the Acts of the General Assembly of 2010

Section 13

Read the first time and referred to the Committee on Health and Government Operations.

### **THE COMMITTEE ON JUDICIARY REPORT #1**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 4 – Delegates Cardin, Stein, DeBoy, Minnick, and Nathan–Pulliam**

#### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

#### **Baltimore County – Orphans’ Court Judges – Qualifications**

**HB0004/232412/1**

BY: House Judiciary Committee

#### AMENDMENT TO HOUSE BILL 4

(First Reading File Bill)

On page 1, in lines 17 and 18, strike “, **BALTIMORE COUNTY,**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**House Bill 63 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Employees – Criminal History Records Checks**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 59)

**ADJOURNMENT**

At 10:32 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 8, 2012.

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**Annapolis, Maryland**  
**Wednesday, February 8, 2012**

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The House met at 10:17 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Aruna Miller of Montgomery County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 60)

The Journal of February 7, 2012 was read and approved.

**EXCUSES:**

Del. Arora – funeral

Del. Cardin – birth of baby

Del. Griffith – illness

Del. Gutierrez – business

Del. McDermott – funeral

Del. Pena–Melnik – doctor’s appointment

Del. V. Turner – illness

Del. Weir – doctor’s appointment

**INTRODUCTION OF BILLS**

**House Bill 634 – Delegates George and Kipke**

AN ACT concerning

**Physician Assistants – Use of C–Arm Devices**

FOR the purpose of authorizing physician assistants to use certain C–arm devices in accordance with certain standards; and generally relating to the use of C–arm devices by physician assistants.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 15–301(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 15–301(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 635 – Delegates James, Beidle, Bohanan, Clagett, Conway, DeBoy, Olszewski, and Rudolph**

AN ACT concerning

**Task Force to Study the Creation of Regional Transit Financing Authorities**

FOR the purpose of establishing a Task Force to Study the Creation of Regional Transit Financing Authorities; requiring the Task Force to study and make recommendations concerning the establishment of regional transit financing authorities for a certain purpose; specifying the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to submit an interim and a final report of its findings and recommendations by certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Creation of Regional Transit Financing Authorities.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 636 – Delegates Morhaim, Cardin, Nathan–Pulliam, and Stein**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Turf Field Security Investment**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 637 – Delegate Serafini**

AN ACT concerning

**State Finance and Procurement – Renewable Energy Resources – Lease of State Property**

FOR the purpose of requiring the Board of Public Works to lease certain renewable energy resources in accordance with certain provisions of law; requiring the Board to charge a certain rental fee and certain royalties in a certain lease in a certain manner; prohibiting the Board from approving a certain lease until certain information is submitted to the Legislative Policy Committee and a certain lease is approved by the Legislative Policy Committee or the General Assembly in a certain manner; defining certain terms; and generally relating to the lease of renewable energy resources located on real property owned by the State.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 1–101(bb)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

**House Bill 638 – Delegates Krebs, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion**

FOR the purpose of requiring the Secretary of Budget and Management, in consultation with the Secretary of Health and Mental Hygiene, to develop and implement a certain bona fide wellness program for inclusion in the State Employee and Retiree Health and Welfare Benefits Program; establishing certain requirements for the bona fide wellness program; authorizing the bona



vide wellness program to include certain incentives for achieving health goals; requiring the Secretary of Budget and Management to consider certain actions to promote wellness among Program enrollees; requiring the Secretary of Budget and Management to report to the Governor and the General Assembly on or before a certain date on the implementation of this Act; and generally relating to a bona fide wellness program in the State Employee and Retiree Health and Welfare Benefits Program and wellness promotion.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 2–501(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–503(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Health and Government Operations.

### **House Bill 639 – Delegates Morhaim and McIntosh**

AN ACT concerning

#### **High Performance Buildings Act – Applicability to Recipients of State Aid**

FOR the purpose of making the High Performance Buildings Act applicable to certain capital projects that are funded or financed, to a certain extent, by a grant of State aid to certain grantees; requiring the Department of Housing and Community Development to require certain recipients of State funds to employ certain standards under certain circumstances; authorizing the Secretary of Housing and Community Development to provide a certain waiver; defining certain terms; altering certain definitions; and generally relating to the construction of high performance buildings by certain grantees that receive certain State aid.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1 and 7–406(a)(5)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement

Section 7–406(a)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

**House Bill 640 – Delegates Serafini, Dwyer, Glass, and Ready**

AN ACT concerning

**Income Tax – Subtraction Modification – Credit Card Debt Forgiveness**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the cancellation of certain consumer debt; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the cancellation of certain debt.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 641 – Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, and V. Turner**

AN ACT concerning

**Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and Outreach**

FOR the purpose of requiring the Department of Health and Mental Hygiene, as funds are available, to conduct a certain needs assessment, initiate a certain statewide public awareness campaign, solicit certain funding, and review and recommend certain initiatives related to the hepatitis B virus; requiring the Department, as funds are available, to coordinate with the Maryland Office of

Minority Health and Health Disparities to activate certain hepatitis B virus and hepatitis C virus plans; requiring the Department, as funds are available, to develop a certain plan and certain recommendations and to collaborate with the Maryland Insurance Administration to make certain recommendations regarding certain insurance coverage; requiring the Maryland Health Care Commission to examine certain research findings and make a certain report to the Governor and certain committees of the General Assembly on or before a certain date; repealing the termination date for provisions of law that require the Department to conduct certain outreach and public awareness campaigns and make certain reports regarding the hepatitis C virus; and generally relating to public awareness, treatment, and outreach relating to the hepatitis B and hepatitis C viruses.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–1001  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 18–1002  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 457 of the Acts of the General Assembly of 2006, as amended by  
Chapter 125 of the Acts of the General Assembly of 2009  
Section 4

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 642 – Delegates Ivey, Niemann, and Summers**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – EzStorage Studios**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of the Gateway Municipalities Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 643 – Delegate Bromwell**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Video Lottery Terminals – Expansion to Baltimore–Washington International  
Thurgood Marshall Airport**

FOR the purpose of amending the Maryland Constitution to authorize video lottery terminal gaming at Baltimore–Washington International Thurgood Marshall Airport; altering the number of licenses that the State may issue to operate video lottery terminals; altering the number of video lottery terminals that may be authorized in the State; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XIX – Video Lottery Terminals  
Section 1

Read the first time and referred to the Committee on Ways and Means.

**House Bill 644 – Delegates Oaks and Niemann**

AN ACT concerning

**Environment – Reducing the Incidence of Lead Poisoning**

FOR the purpose of altering the application of certain provisions of law relating to reducing lead risk in housing to apply to certain property constructed before a certain date; authorizing the Department of the Environment or a local health department to order a certain abatement in any residential property under certain circumstances; establishing a certain rebuttable presumption; providing that the presumption may be rebutted by clear and convincing evidence; altering a certain annual fee for certain rental property; authorizing the Department to administer a certain program consistent with certain federal regulations; requiring a certain vendor of certain property to deliver to a certain purchaser a certain lead–contaminated dust test under certain circumstances; declaring the intent of the General Assembly regarding certain compliance with certain provisions of law relating to reducing lead risk in housing; and generally relating to reducing the incidence of lead poisoning.

BY repealing and reenacting, without amendments,  
Article – Environment

Section 6–801(a) and 6–843(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–801(b), 6–822, 6–843(a)(2), 6–1003, and 6–1004  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 6–830.1; and 6–1002.1 to be under the amended subtitle “Subtitle 10.  
Accreditation of Lead Paint Abatement and Renovation Services”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 10–711  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 645 – Delegates Serafini, Bates, Dwyer, Eckardt,  
Haddaway–Riccio, McComas, Ready, Schulz, and Smigiel**

AN ACT concerning

**State Retirement and Pension Systems – New Hires – Cash Balance Defined  
Benefit Plan**

FOR the purpose of establishing a cash balance plan under the State Retirement and Pension System; requiring that certain individuals who are employed by certain participating employers on or after a certain date become members of the cash balance plan; providing that certain individuals are not eligible to participate in the optional retirement program; requiring the Board of Trustees of the State Retirement and Pension System to administer the cash balance plan; requiring participating in the cash balance plan as a condition of employment for certain individuals; providing the vesting requirements for participating employees in the cash balance plan; requiring that employee contributions to the cash balance plan be a certain amount and be made in a certain manner; requiring certain participating employees of the cash balance plan to be a certain age with a certain number of years of service as an eligible employee prior to receiving certain distributions; requiring certain participating employees of the cash balance plan who elect to receive certain distributions before reaching a certain

age with a certain number of years of service to wait until a certain time to receive the distribution; providing for distribution of certain benefits from the cash balance plan to a participating employee on retirement; providing that certain participating employees in the cash balance plan may make certain elections with regard to the method of distribution for certain benefits payable under the cash balance plan; requiring the State to make certain employer contributions to the cash balance plan in a certain manner; requiring the Governor to include a certain amount in the annual State budget bill; defining certain terms; making certain provisions of this Act subject to a certain contingency; and generally relating to the establishment of a cash balance plan for State employees and teachers.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–203, 23–204(c), 23–208, and 30–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 41–101 through 41–208 to be under the new title “Title 41. Cash Balance Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 646 – Delegates Ivey, Niemann, and Summers**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Gateway Arts Center at Brentwood**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of the Gateway Municipalities Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 647 – Delegates Howard and Vaughn**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Glenarden Police Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Glenarden for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 648 – Delegates S. Robinson, Barkley, and Reznik**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Montgomery Village South Valley Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Montgomery Village Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 649 – Delegates Stocksdale, DeBoy, Frank, George, McComas, McDonough, Myers, B. Robinson, and Wood**

AN ACT concerning

**Drunk and Drugged Driving – Death or Life–Threatening Injury – Mandatory Tests**

FOR the purpose of requiring a police officer to direct a person to submit to certain tests if the person is involved in a motor vehicle accident that results in the death of, or a life–threatening injury to, another person and the police officer has reasonable grounds to believe that the person has been driving or attempting to drive in violation of certain alcohol– or drug–related driving offenses; and generally relating to a requirement that a police officer direct a person to submit to certain tests if the person is involved in a motor vehicle

accident that results in a death or life-threatening injury under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–205.1(a)(1)(i) and (iv)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(c)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 650 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Davis, Gaines, Haynes, Hough, Ivey, McIntosh, Mitchell, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington**

AN ACT concerning

**Correctional Services – Diminution Credits – Educational Accomplishment**

FOR the purpose of authorizing a certain inmate to receive a certain deduction from the inmate’s term of confinement for earning a certain diploma, degree, certification, or certificate of completion; requiring the Commissioner of Correction to adopt certain regulations; and generally relating to the terms of confinement of inmates.

BY adding to  
Article – Correctional Services  
Section 3–706.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington**



AN ACT concerning

**Child Support – Incarcerated Obligor – Suspension of Payments and  
Accrual of Arrearages**

FOR the purpose of establishing that child support payments are not past due and arrearages may not accrue during any period when the obligor is incarcerated and for a certain period after the obligor's release from confinement under certain circumstances; authorizing the Child Support Enforcement Administration to adjust an incarcerated obligor's payment account in certain cases to reflect the suspension of the accrual of arrearages under this Act; requiring the Administration to send a certain notice to the obligee before making an adjustment; defining certain terms; and generally relating to the child support obligations of incarcerated obligors.

BY adding to

Article – Family Law

Section 12–104.1

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 652 – Delegate Waldstreicher (By Request – Task Force on  
Prisoner Reentry) and Delegates Anderson, Barnes, Braveboy, Carter,  
Dumais, Gaines, Haynes, Ivey, Lafferty, McIntosh, Pena–Melnyk,  
Proctor, Rosenberg, Ross, V. Turner, Valderrama, and Washington**

AN ACT concerning

**Criminal Records – Shielding – Nonviolent Convictions**

FOR the purpose of requiring court records and police records relating to a conviction to be shielded automatically at a certain time, depending on whether the conviction is for a misdemeanor or a felony; providing that if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act; providing that this Act does not apply to a conviction of a crime of violence as defined under a certain provision of law; defining certain terms; and generally relating to the shielding of court records and police records.

BY adding to

Article – Criminal Procedure

Section 10–301 through 10–305 to be under the new subtitle “Subtitle 3. Shielding”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 10–616(v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 653 – Delegates Serafini, Afzali, Aumann, Eckardt, Elliott, Haddaway–Riccio, Hershey, Hough, McComas, Norman, Ready, Schulz, Smigiel, and Stocksdaile**

AN ACT concerning

**State Retirement and Pension Systems – Cash Balance Plan**

FOR the purpose of establishing a cash balance plan under the State Retirement and Pension System; requiring that certain members of the Employees’ Pension System or the Teachers’ Pension System become members of the cash balance plan on a certain date; requiring that certain individuals who are employed by certain participating employers on or after a certain date become members of the cash balance plan; providing that certain individuals are not eligible to participate in the optional retirement program; requiring the Board of Trustees of the State Retirement and Pension System to administer the cash balance plan; requiring participation in the cash balance plan as a condition of employment for certain individuals; providing the vesting requirements for participating employees in the cash balance plan; requiring that employee contributions to the cash balance plan be a certain amount and be made in a certain manner; requiring certain participating employees of the cash balance plan to be a certain age with a certain number of years of service as an eligible employee prior to receiving certain distributions; requiring certain participating employees of the cash balance plan who elect to receive certain distributions before reaching a certain age with a certain number of years of service to wait until a certain time to receive the distribution; providing for distribution of certain benefits from the cash balance plan to a participating employee on retirement; providing that certain participating employees in the cash balance plan may make certain elections with regard to the method of distribution for certain benefits payable under the cash balance plan; requiring the State to make certain employer contributions to the cash balance plan in a certain manner; providing that certain participating employees in the cash balance plan

may receive a certain benefit from the Employees' Pension System or the Teachers' Pension System; providing that certain eligible employees in the cash balance plan may elect to convert a certain accrued benefit to the cash balance plan or receive a return of certain member contributions plus regular interest; prohibiting certain eligible employees who elect to convert a certain benefit to the cash balance plan from receiving certain member contributions; defining certain terms; making certain provisions of this Act subject to a certain contingency; and generally relating to the establishment of a cash balance plan for State employees and teachers.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–203, 23–204(c), 23–208, and 30–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 41–101 through 41–209 to be under the new title “Title 41. Cash  
Balance Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 654 – Delegates Smigiel, Afzali, Aumann, Bates, Beitzel, Boteler, Cluster, Dwyer, Elliott, Fisher, Frank, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Krebs, McComas, McDermott, Otto, Parrott, Ready, Schulz, and Szeliga**

AN ACT concerning

### **State Development Plan – Repeal**

FOR the purpose of repealing a requirement that the Department of Planning prepare and revise certain plans for the development of the State for certain purposes and based on certain studies; repealing a requirement that the Department seek comments from and consult with certain local governments and seek the cooperation and advice of certain persons when preparing and revising a certain Plan; repealing a provision stating that the Plan shall embody certain policy recommendations of the Department; repealing a requirement that the Secretary of Planning send to the Governor the Plan, substantial parts of the Plan, or revisions to the Plan; repealing a requirement that the Governor file with the Secretary of State the Plan, part of the Plan, or revision to the Plan, together with certain comments; repealing a requirement that the Department make copies of certain materials available for general distribution or sale under certain circumstances; repealing a requirement that the Governor send copies of

certain materials to certain persons under certain circumstances; repealing certain provisions relating to the required contents of the Plan; repealing a requirement that each county make a certain recommendation to the Department; repealing a requirement that the Secretary consult with and consider recommendations submitted by certain political subdivisions before making a certain designation; repealing the authority of the Secretary to adopt certain regulations; repealing a requirement that the Department furnish to certain political subdivisions the full text of certain proposed designations; repealing a requirement that the Department give certain political subdivisions a certain period of time to review and comment on a certain proposed designation; repealing a requirement that the Department publish certain designations and certain written comments; repealing a certain definition; making certain conforming changes; correcting certain cross-references; and generally relating to the repeal of certain provisions relating to the State Development Plan.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–508(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–307(b), 5–402, 5–507, and 5–706(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – State Finance and Procurement  
Section 5–601 through 5–605 and the part “Part I. Definitions; General Provisions”; and 5–608 through 5–615 and the part “Part II. Contents of Plan”; and the subtitle “Subtitle 5. State Development Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 655 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Baltimore Museum of Industry**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of the Baltimore Museum of Industry, Inc. for certain development or improvement purposes;

providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 656 – Delegates Kramer and W. Miller**

AN ACT concerning

**Correctional Services – Limitation on Total Number of Diminution Credits –  
Single Sentence for Crime of Violence**

FOR the purpose of providing that a certain provision of law limiting a certain deduction from a term of confinement that can be earned applies to a certain single sentence as well as a certain consecutive or concurrent sentence; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 3–701  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 657 – Delegates Kramer, Arora, Cullison, Dumais, Hucker, A. Kelly,  
K. Kelly, Malone, Reznik, Simmons, Stein, and Valderrama**

AN ACT concerning

**Election Law – Subsequent Election Absentee Ballot List**

FOR the purpose of requiring the State Board of Elections to establish guidelines for a subsequent election absentee ballot list; requiring that a voter who receives an absentee ballot be provided the opportunity to request an absentee ballot for the next subsequent election in certain materials accompanying the absentee ballot; requiring that a voter who requests an absentee ballot for the next subsequent election be placed on the subsequent election absentee ballot list; requiring that an absentee ballot be sent to a voter on the subsequent election absentee ballot

list for certain elections; requiring that a voter be removed from the subsequent election absentee ballot list under certain circumstances; requiring a voter who requests an absentee ballot for the next subsequent election to notify the local board with certain information under certain circumstances; and generally relating to the subsequent election absentee ballot list.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 9–303  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 9–304  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Election Law  
Section 9–305.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 658 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Safety – Emergency Management – Emergency Plans for Human Service Facilities – Dialysis Centers**

FOR the purpose of altering the definition of “human service facility” to include certain kidney dialysis centers for purposes of certain provisions of law requiring a human service facility to develop a certain emergency plan; providing that a human service facility is solely responsible for certain financial obligations arising from certain activations of a certain emergency plan; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date in consultation with representatives of certain entities; and generally relating to emergency plans for human service facilities.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–110.1

Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 659 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Architects, Landscape Architects, Professional Engineers, and Professional Land Surveyors – Firm Permits**

FOR the purpose of requiring a corporation, partnership, or limited liability company on or after a certain date to hold a permit issued by the State Board for Professional Engineers before operating a business through which engineering is practiced, with a certain exception; establishing certain qualifications, application requirements, and fees for the firm permit to practice engineering; establishing the scope of the engineering firm permit; providing for the renewal and reinstatement of the engineering firm permit; authorizing the State Board for Professional Engineers to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances; altering certain requirements for the responsible member of an entity providing architectural services; authorizing the State Board of Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances; providing for the reinstatement of a firm permit issued by the State Board of Architects under certain circumstances; authorizing landscape architecture to be practiced through a limited liability company under certain circumstances; requiring a limited liability company to hold a permit issued by the State Board of Examiners of Landscape Architects before operating a business through which landscape architecture is practiced; establishing certain qualifications and application requirements for a firm permit issued by the State Board of Examiners of Landscape Architects; authorizing the State Board of Examiners of Landscape Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances; providing for the reinstatement of a firm permit issued by the State Board of Examiners of Landscape Architects under certain circumstances; establishing certain qualifications, application requirements, and renewal requirements for a firm permit to operate a business through which land surveying or property line surveying is practiced; authorizing the State Board for Professional Land Surveyors to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances; providing for the reinstatement of a firm permit issued by the State Board for Professional Land Surveyors under certain circumstances; establishing certain prohibited acts;

requiring certain permit holders to provide certain notification of certain changes or occurrences within a certain period of time; altering certain definitions; making stylistic and conforming changes; and generally relating to firm permits issued by the State Board of Architects, the State Board of Examiners of Landscape Architects, the State Board for Professional Engineers, and the State Board for Professional Land Surveyors.

BY renumbering

Article – Business Occupations and Professions

Section 14–402 and 14–403, respectively, and the subtitle “Subtitle 4. Miscellaneous Provisions”

to be Section 14–4A–01 and 14–4A–02, respectively, and the subtitle “Subtitle 4A. Miscellaneous Provisions”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 3–401, 3–403(b), 3–404(c)(3), 3–602, 9–401, 9–402, 9–403, 9–404, 9–602, 14–401, 15–402, 15–403, and 15–406(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 3–410, 3–411, 3–412, 3–413, 3–414, 3–415, 3–416, 9–405(b), 9–409, 9–410, 9–411, 9–412, 9–413, 9–414, 9–415, 9–416; 14–402 through 14–415 to be under the new subtitle “Subtitle 4. Permits”; 14–501.1, 14–502.1, 15–402.1, 15–406(d), and 15–407 through 15–414

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Business Occupations and Professions

Section 9–405(b) and 9–409

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 660 – Delegates Beitzel, K. Kelly, and Myers**

AN ACT concerning

**Education – State Aid – Grant to Limit Decreases in Funding**



FOR the purpose of requiring the State to provide a certain grant to a county board of education in certain fiscal years if certain funding provided to a county board decreases by a certain amount; requiring a certain study to include a certain impact; and generally relating to State aid for education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 661 – Delegates Smigiel, McDermott, Cluster, McComas, and Serafini**

AN ACT concerning

**State Retirement and Pension System – Local Employer Contributions –  
Educators and Educational Staff**

FOR the purpose of providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State Board of Education and the Maryland Higher Education Commission to submit certain information to the Board of Trustees on or before a certain date and requiring the Board of Trustees to make a certain determination based on the submitted information; defining certain terms; and generally relating to the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304 and 21–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 662 – Delegates Barkley, Barnes, Burns, Feldman, Gilchrist, Haddaway–Riccio, Harrison, Hershey, Impallaria, Jameson, Love, W. Miller, Minnick, Olszewski, Reznik, S. Robinson, Rudolph, Schulz, Summers, and Vaughn**

AN ACT concerning

**Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

FOR the purpose of stating the intent of the General Assembly with regard to a gas infrastructure replacement surcharge; authorizing a gas company to recover certain costs associated with certain gas infrastructure replacement projects through a certain surcharge on customer bills; requiring project cost calculations to include certain elements; specifying when costs shall be collectable; specifying how the pre-tax rate of return shall be calculated and adjusted and what it shall include; prohibiting the monthly surcharge from exceeding a certain amount; specifying certain criteria for adjustments for return on equity; requiring the Public Service Commission to consider certain factors when establishing revenue requirements; authorizing the Commission to hold a public hearing on a plan within a certain time frame; requiring the Commission to take final action on a plan within a certain time frame; requiring the Commission to take final action on an amendment to a plan within a certain time frame; authorizing the Commission to approve a plan under certain circumstances; requiring the Commission to approve a cost recovery schedule under certain circumstances; requiring that a surcharge be in effect for a certain time; requiring a gas company to file base rate case applications within a certain time frame; specifying costs to be included in a surcharge when base rate applications are filed; authorizing a gas company to implement a plan under certain circumstances; requiring a gas company implementing a plan to make certain refunds under certain circumstances; requiring the Commission to authorize the gas company to increase a surcharge under certain circumstances; prohibiting the Commission from considering certain factors when reviewing a plan except under certain circumstances; requiring a gas company to file certain plan amendments each year with the Commission; authorizing the Commission to review certain plans and take certain actions based on the review; requiring a gas company to file a revised base rate schedule with the Commission to subtract certain costs from a surcharge under certain circumstances; defining certain terms; and generally relating to natural gas rate regulation and gas infrastructure replacement surcharges.

BY adding to

Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 663 – Delegates Howard and Vaughn**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Glenarden Veterans Memorial**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Glenarden for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 664 – Delegates Simmons, Dumais, K. Kelly, Kramer, and Krebs**

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties**

FOR the purpose of prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor is present; establishing certain circumstances under which a minor is present in a residence; establishing certain penalties for a violation of this Act; establishing that a sentence under this Act is separate from and consecutive to a sentence for a crime based on the act establishing a violation of this Act; providing that a person who violates this Act is guilty of the abuse of a child under 18 for certain purposes; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 9–106(a)  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 3–601.1

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a) and (c)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 665 – Delegates Arora, Cullison, Hucker, Kramer, Reznik,  
B. Robinson, Valderrama, Walker, and Wilson**

AN ACT concerning

**Health and State Government – Falls by Senior Citizens – Awareness and  
Prevention  
(Senior Falls Prevention Act)**

FOR the purpose of requiring the Governor to proclaim each year a certain week as Fall Prevention Awareness Week; requiring the Secretary of Aging and the Secretary of Health and Mental Hygiene, on or before a certain date, to develop a certain statewide protocol for home safety inspections and to submit the protocol to the General Assembly; and generally relating to awareness and prevention of falls by senior citizens.

BY adding to

Article – State Government

Section 13–601 to be under the new subtitle “Subtitle 6. Commemorative  
Weeks”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

**House Bill 666 – Delegates Smigiel, Dwyer, George, McComas, McConkey,  
McDermott, and Ready**

AN ACT concerning

**Criminal Procedure – Victims’ Rights – Remedy and Priority of Restitution**

FOR the purpose of expanding the applicability of certain appeal rights from a victim of a violent crime to a victim of a nonviolent crime; authorizing a certain victim to appeal to the Court of Special Appeals from a certain final order; providing that the filing of a certain appeal or application for leave to appeal does not stay certain other proceedings unless the court finds that the accused’s right to a speedy trial or adjudication will not be violated; providing that if the court finds that a victim’s right under a certain provision of law was not considered or was improperly denied, the court may grant the victim relief provided the remedy does not violate a certain constitutional right of a defendant or child respondent; prohibiting a court from providing a remedy that modifies a certain sentence or commitment unless the victim requests relief from a violation of the victim’s right within a certain number of days of the alleged violation; altering a provision of law so as to provide that payment of restitution to a victim has priority over any payments to any other person or governmental unit, subject to certain exceptions; providing for the application of this Act; and generally relating to enforcement of victims’ rights and priority of restitution.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–103 and 11–606  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–617(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 667 – Delegates Kramer and W. Miller**

AN ACT concerning

**Correctional Services – Limitation on Total Number of Diminution Credits –  
Violent Offenders and Sexual Offenders**

FOR the purpose of reducing the maximum total number of diminution credits that an inmate is allowed for a calendar month if the inmate’s term of confinement includes a sentence for certain crimes; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,  
Article – Correctional Services

Section 3–701  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–708  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 668 – Delegates Schulz, Wood, Aumann, Bates, Clagett, Cluster, Eckardt, Glass, Haddaway–Riccio, Hershey, Hogan, Jacobs, McComas, McDermott, W. Miller, O’Donnell, Otto, Serafini, Smigiel, and Weir**

AN ACT concerning

**Vehicle Laws – Historic Motor Vehicles – Trucks, Tractors, and Motor Homes**

FOR the purpose of establishing a certain historic motor vehicle registration for certain trucks, tractors, and motor homes; establishing certain qualifications for a historic motor vehicle registration under this Act; establishing certain registration fees; prohibiting a vehicle registered under this Act from being used in a certain manner; requiring a certain owner applying for registration of a vehicle under this Act to certify that the vehicle will be maintained only for certain purposes; requiring the Motor Vehicle Administration to issue certain registration plates under certain circumstances; providing that the presence of certain equipment is not required for the operation of a vehicle registered under this Act; exempting a vehicle registered under this Act from certain vehicle inspections; clarifying that this Act does not limit the authority of a police officer to issue a certain safety equipment repair order; prohibiting the transfer to a subsequent owner of a registration issued under this Act; defining a certain term; and generally relating to the registration of historic motor vehicles.

BY adding to  
Article – Transportation  
Section 13–936.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 669 – Delegate Haynes**

AN ACT concerning

**Maryland Higher Education Commission – Employees and Children – Tuition Waiver**

FOR the purpose of requiring each governing board of a public institution of higher education in the State to develop a certain policy for the waiver of certain tuition for employees of the Maryland Higher Education Commission and their children; and generally relating to the waiver of tuition at public institutions of higher education in the State for employees of the Maryland Higher Education Commission and their children.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson**

AN ACT concerning

**Earned Compliance Credit and Reinvestment Act of 2012**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to establish a program to implement certain earned compliance credits, which create a certain reduction in a certain period of active supervision for certain individuals and develop policies and procedures for the implementation of the program; requiring the Maryland Parole Commission or the court to adjust a period of supervision for an individual placed on probation by the court or serving a period of parole or mandatory release supervision from a correctional facility under certain circumstances; requiring a supervised individual whose period of active supervision has been completely reduced by earned compliance credits to be placed on abatement for a certain amount of time, with certain exceptions; authorizing a court to place a supervised individual on active supervision if the supervised individual commits a violation of probation while on abatement; requiring that a certain percentage of the savings realized by the Department as a result of the application of earned compliance credits revert to the Department; providing for the construction of this Act; defining certain terms; providing for a delayed effective date; and generally relating to parole and probation and earned compliance credits.

BY adding to  
Article – Correctional Services  
Section 6–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 671 – Delegates S. Robinson, Barkley, A. Kelly, A. Miller, and Reznik**

AN ACT concerning

**Stormwater Management – Dredging – Testing for Toxic Substances**

FOR the purpose of requiring the Department of the Environment to adopt regulations and a model ordinance to require that sediment dredged from stormwater retention structures be tested for toxic substances and to prohibit dredged sediment from being used in a certain manner; and generally relating to stormwater management and toxic substances.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–203  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 672 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Port Discovery**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 673 – Delegates Simmons, Dumais, and Kramer**

AN ACT concerning

**Family Law – Grounds for Divorce**



FOR the purpose of providing that for purposes of granting a limited or an absolute divorce, parties shall be considered to be living separate and apart without cohabitation even if the parties share living expenses and a residence, as long as the parties maintain separate bedrooms; and generally relating to the grounds for a limited or absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–102 and 7–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 674 – Delegates Davis, Feldman, Haddaway–Riccio, McHale, and Schulz**

AN ACT concerning

**Credit Regulation – Finder’s Fees – Table–Funded Loans**

FOR the purpose of altering the definitions of “finder’s fee”, “lender”, and “mortgage broker” for purposes of certain provisions of law governing finder’s fees charged by mortgage brokers to clarify that, in a table–funded mortgage loan transaction, fees charged by the person named as the lender in certain documents evidencing the loan indebtedness are not considered finder’s fees; establishing a certain statute of limitations; defining a certain term; providing for the application of this Act; and generally relating to finder’s fees.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–801  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–804(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Commercial Law  
Section 12–810  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 675 – Delegate Niemann**

AN ACT concerning

**Health – Prohibition on Individuals with Tuberculosis Working in Food Service Facilities**

FOR the purpose of prohibiting individuals who have tuberculosis in a communicable stage from working in any capacity in a food service facility; requiring an employer of a food service employee to require the employee to furnish a certification that the employee is free of tuberculosis in a communicable stage; specifying when an employer must require an employee to furnish the certification; requiring the certification to be based on the results of certain tests; requiring certain individuals to regulate the types of certain tests and the intervals between certain tests; requiring the types of tests and intervals between tests to conform to certain standards; and generally relating to prohibiting individuals who have tuberculosis in a communicable stage from working in food service facilities.

BY adding to

Article – Health – General  
Section 21–328.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 21–1214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 676 – Delegates Rosenberg, Carter, Donoghue, Feldman, Frush, Oaks, Pena–Melnyk, and Reznik**

AN ACT concerning

**Religious Observance Accommodation Act**

FOR the purpose of authorizing employees of certain employers to use certain leave for observance of sincerely held religious beliefs under certain circumstances; establishing that an employer is not required to pay certain premium wages or

benefits under certain circumstances; providing that an employee who uses leave under this Act must comply with the terms of a collective bargaining agreement or employment policy; providing that an employer may require an employee without paid leave to use leave without pay or work a certain number of hours; providing for a certain exemption under certain circumstances; establishing certain criteria for determining a certain hardship; prohibiting an employer from taking certain actions against an employee who exercises certain rights or files a complaint, testifies, or assists in a certain action against an employer for a violation of this Act; prohibiting an employee from making certain groundless or malicious complaints against an employer; defining certain terms; providing for the construction of certain provisions of this Act; providing for the application of this Act; and generally relating to the Religious Observance Accommodation Act.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 20–606(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 20–610  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 677 – Delegate Davis**

AN ACT concerning

#### **Public Utilities – Telephone Service – Charges for Directory Assistance**

FOR the purpose of specifying that certain residential customers are entitled to only a certain number of directory assistance calls each month without charge; requiring the Public Service Commission to approve other charges for directory assistance, subject to certain exceptions; repealing a provision that authorizes the Commission to establish additional exemptions from directory assistance charges; and generally relating to telephone service and directory assistance.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 8–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 678 – Delegates Niemann and McMillan**

AN ACT concerning

**Real Property – Manufactured Homes – Conversion to and Severance from  
Real Property**

FOR the purpose of providing for the conversion of a manufactured home to real property under certain circumstances; requiring a certain affidavit of conversion to contain certain information and statements; requiring an affidavit of conversion to be recorded under certain circumstances; providing that a recorded affidavit of conversion has no legal effect under certain circumstances; requiring the owner of a manufactured home that is to be severed from real property to file an affidavit of severance under certain circumstances; requiring an affidavit of severance to contain certain information and statements; requiring an affidavit of severance to be recorded under certain circumstances; defining certain terms; and generally relating to manufactured homes and the conversion to and severance from real property.

BY adding to

Article – Real Property

Section 8B–101 through 8B–302 to be under the new title “Title 8B.  
Manufactured Homes”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 679 – Delegates Nathan–Pulliam, Braveboy, Burns, Gaines,  
Gutierrez, Howard, Hubbard, Ivey, Jones, Morhaim, Murphy, Oaks,  
B. Robinson, Ross, Tarrant, V. Turner, and Valderrama**

AN ACT concerning

**Cultural Competency and Health Literacy – Education**

FOR the purpose of requiring the Maryland Office of Minority Health and Health Disparities to work collaboratively with certain universities and colleges of social work, public health, and allied health to develop certain courses; changing the name of the Cultural and Linguistic Health Care Provider Competency Program to be the Cultural and Linguistic Health Care Professional Competency Program; altering the purpose of the Program; including a certain association and certain entities among the groups that are encouraged to identify, develop, or collaborate in the development of certain training programs; altering the requirements for certain training programs; altering

certain definitions; requiring a certain report from certain universities, colleges, and higher education programs to certain committees of the General Assembly and the Maryland Office of Minority Health and Health Disparities on or before a certain date; and generally relating to cultural and linguistic competency and health literacy.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 20–1001(a) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–1004(15) and 20–1301 through 20–1304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 680 – Delegates Rosenberg, Luedtke, and Washington**

AN ACT concerning

#### **Education – Development of Guidelines to Incorporate Sustainable Agricultural Education**

FOR the purpose of requiring the State Board of Education and the University of Maryland Extension, after consultation with local boards of education, the Maryland Agricultural Education Foundation, and certain other entities, to jointly develop guidelines to incorporate education about sustainable agriculture into science curricula; providing for the termination of this Act; and generally relating to the development of guidelines to incorporate education about sustainable agriculture into science curricula.

BY adding to  
Article – Education  
Section 4–111.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 681 – Delegate Simmons**

AN ACT concerning

### Truth in Sentencing Task Force

FOR the purpose of establishing a Truth in Sentencing Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the establishment of a Truth in Sentencing Task Force.

Read the first time and referred to the Committee on Judiciary.

### House Bill 682 – Delegate Simmons

AN ACT concerning

#### Maryland Trust Act

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; authorizing certain nonjudicial settlement agreements with respect to a trust matter; providing for the role of a court in the administration of a trust; providing that a certain trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; establishing that certain persons may be represented by another person having substantially identical interests, in certain circumstances; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a trustee to combine or divide a certain trust; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution

provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of the trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing when a person must commence a judicial proceeding to contest the validity of a certain trust; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; authorizing cotrustees who are unable to reach an unanimous decision to act by majority decision in certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring the trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring the trustee to respond promptly to a certain request for information; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; prohibiting a beneficiary from commencing a certain proceeding; providing that a certain trustee is not liable to a certain beneficiary; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal

liability of the trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–113 and the subtitle “Subtitle 1. General Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1003 to be under the new title “Title 14.5.  
Maryland Trust Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 683 – Delegate Simmons**

AN ACT concerning

#### **Electric Vehicles – Use of High Occupancy Vehicle Lanes – Reciprocity with Virginia**

FOR the purpose of requiring that electric vehicles registered in the Commonwealth of Virginia that qualify for the use of high occupancy vehicle (HOV) lanes in Virginia be allowed to use HOV lanes in Maryland; making this Act subject to a certain contingency; and generally relating to electric vehicles and HOV lanes.

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 684 – Delegate McDonough**

AN ACT concerning

**Lottery – Payouts – Requirement of Proof of Lawful Presence**

FOR the purpose of requiring the State Lottery Agency to verify the lawful presence of certain persons in the United States before paying a cash game prize greater than a certain amount to the holder of a winning lottery ticket; and generally relating to requiring proof of a person's lawful presence before paying certain lottery cash game prizes.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–122(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–124  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 685 – Delegate McDonough**

AN ACT concerning

**Maryland Transportation Authority – Tolls – Legislative Approval Required**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing, revising, charging, or collecting a toll on any part of any transportation facilities project in an amount in excess of a certain amount unless the General Assembly approves the toll through legislation that is enacted into law; authorizing the Authority, on or after the effective date of this Act, to continue to charge and collect a toll of the same amount in effect on a certain date; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 686 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – City of Takoma Park – Alcoholic Beverages – Class B  
On- and Off-Sale License  
MC 17-12**

FOR the purpose of adding an off-sale privilege to the Class B beer and light wine license issued for hotels and restaurants in the City of Takoma Park; providing for the termination of this Act; and generally relating to Class B beer and light wine, hotel and restaurant licenses in the City of Takoma Park.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8-216(d)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 687 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages License – Rock Spring Centre  
MC 2-12**

FOR the purpose of authorizing the Montgomery County Board of License Commissioners by unanimous vote to approve an application for an alcoholic beverages license for an establishment located in a certain mixed use center in Montgomery County under certain circumstances; specifying that the license authorizes the license holder to keep for sale and sell alcoholic beverages for consumption on the premises only; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9-216  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 688 – Delegate Costa****EMERGENCY BILL**

AN ACT concerning

**State Board of Physicians – Athletic Trainer Advisory Committee – Sunset Extension, Program Evaluation, and Revisions**

FOR the purpose of continuing the Athletic Trainer Advisory Committee in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provision relating to the statutory and regulatory authority of the Committee; requiring the chair of the Committee to serve in an advisory capacity to the State Board of Physicians and present to the Board a certain annual report; prohibiting certain individuals from providing certain services to the Committee or the Board under certain circumstances; prohibiting certain individuals from being appointed to the Committee under certain circumstances; requiring the Committee to submit a certain annual report to the Board; requiring the Board to consider all recommendations of the Committee, provide a certain explanation to the Committee under certain circumstances, and provide a certain report to the Committee a certain number of times each year; altering the conditions under which the Board is required to waive certain education requirements; altering the contents of an evaluation and treatment protocol; authorizing an athletic trainer to accept an outside referral from certain individuals under certain circumstances; authorizing a certain alternate supervising physician to assume a certain role under certain circumstances; prohibiting certain physicians, hospitals, institutions, alternative health systems, and other employers from employing certain individuals unless a certain condition is met; providing penalties for the violation of certain provisions of law; requiring certain physicians and employers to notify the Board within a certain period of time of the termination of an athletic trainer for certain reasons; requiring certain physicians and athletic trainers to notify the Board of the termination of a certain relationship under an evaluation and treatment protocol; requiring certain licensees to notify the Board in writing of certain changes; requiring the Board to disclose the filing of certain charges or certain notice on the Board's Web site; requiring the Board to create and maintain certain profiles on certain licensees that include certain information and a certain statement within a certain period of time under certain circumstances; requiring the Board to forward a certain copy of a licensee's profile under certain circumstances; requiring the Board to maintain a certain Web site relating to licensee profile information; requiring the Board to provide a certain mechanism for certain notification and correction of certain inaccuracies in a licensee's profile; defining certain terms; altering certain definitions; making this Act an emergency measure; and generally relating to the Athletic Trainer Advisory Committee.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5D–01, 14–5D–05(e), 14–5D–06, 14–5D–08(d), 14–5D–11, and  
14–5D–20

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–5D–05(f), 14–5D–11.1, 14–5D–11.2, 14–5D–12.1, and 14–5D–16.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

### **House Bill 689 – Delegate Costa**

AN ACT concerning

#### **Health Insurance – Pharmacy Benefits Managers – Specialty Drugs**

FOR the purpose of requiring the State Board of Pharmacy to determine and prepare a list of the prescription drugs that may be considered specialty drugs by a pharmacy benefits manager; requiring the Board to publish its list of specialty drugs in the Maryland Register with a certain frequency; specifying the prescription drugs that a pharmacy benefits manager may designate as specialty drugs on a formulary; requiring a pharmacy benefits manager to allow any licensed pharmacy or licensed pharmacist in the State to fill a prescription for a specialty drug under certain circumstances; prohibiting a pharmacy benefits manager from requiring a specialty drug to be dispensed by mail order; defining a certain term; and generally relating to pharmacy benefits managers and specialty drugs.

BY adding to

Article – Insurance

Section 15–1611

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government  
Operations.

### **House Bill 690 – Montgomery County Delegation**

AN ACT concerning

#### **Damascus – Class H Beer and Light Wine Licenses – Repeal of Prohibition**

**MC 6–12**

FOR the purpose of repealing the prohibition in Montgomery County on the issuance of Class H beer and light wine licenses in Damascus (12th election district); submitting this Act to a referendum of the qualified voters of the 12th election district; and generally relating to the repeal of the prohibition in Damascus on the issuance of Class H beer and light wine licenses.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–216(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–216(f)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 691 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Special Art Gallery Beer and  
Wine License  
MC 18–12**

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a special art gallery beer and wine license to nonprofit and for-profit retail businesses that display and sell original artwork by an individual or a group of artists; prohibiting a certain type of business from being issued the license; specifying that a holder of the license may sell or serve beer and wine at retail for on-premises consumption when snacks are served during certain hours; specifying a license fee; prohibiting the license from being transferred from the location for which the license was originally issued to another location; and generally relating to a special art gallery license in Montgomery County.

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–216.4  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 692 – Delegates Aumann, Bates, Boteler, Cluster, Eckardt, Frank, Frush, Hershey, Hogan, Howard, Jacobs, Kach, McDonough, Minnick, Olszewski, Stocksdale, Weir, and Wood**

AN ACT concerning

**Natural Resources – State Parks – Admission Fee Reduction and Entry Restriction**

FOR the purpose of requiring each State park to reduce its admission fee to a certain amount on one day each month as determined by the Department of Natural Resources; authorizing the Department to restrict entry to a State park under a certain condition; and generally relating to admission fees for State parks.

BY adding to

Article – Natural Resources

Section 5–1011

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 693 – Delegates DeBoy and Malone**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Lansdowne Volunteer Fire Department**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Lansdowne Volunteer Fire Department for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 694 – Delegates Cardin, George, and Summers**

AN ACT concerning

**Election Law – Payroll Deductions and Member Contributions – Address of Contributor**

FOR the purpose of requiring an employer that collects voluntary contributions from employees through payroll deduction to a campaign finance entity selected by the employer to record the address of each contributor and transfer that information to the campaign finance entity; requiring an employer that collects voluntary contributions from employees through payroll deduction to a campaign finance entity affiliated with an employee membership entity selected by the employee to record the address of each contributor and transfer that information to the employee membership entity; requiring a membership entity that collects voluntary contributions from members to a campaign finance entity affiliated with the membership entity to record the address of each contributor and transfer that information to the affiliated campaign finance entity; and generally relating to requiring employers and membership entities that collect contributions to campaign finance entities to record the address of each contributor and transfer that information to the campaign finance entity.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–241, 13–242, and 13–243  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 695 – Delegate McDonough**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Dedicated Funds – Prohibition of Transfer**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of dedicated State funds to the General Fund except under certain circumstances; authorizing the General Assembly to transfer certain funds under certain circumstances; defining a certain term; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

Read the first time and referred to the Committee on Appropriations.

### **House Bill 696 – Delegate McDonough**

AN ACT concerning

**Institutions of Higher Education – Hiring of Outside Legal Counsel –  
Requirements**

FOR the purpose of authorizing a public institution of higher education and its governing board to use certain resources for the provision of necessary legal services under a certain amount; providing that a public institution of higher education may hire certain outside legal counsel for legal services that meet or exceed a certain amount only with approval of the Attorney General; requiring a certain request to include certain information; prohibiting certain private nonprofit institutions of higher education that receive State aid from using the State aid to hire outside legal counsel for legal services that meet or exceed a certain amount; requiring certain private nonprofit institutions of higher education to submit a certain report to the Maryland Independent College and University Association on or before a certain date; requiring the Association to submit a certain report to the Maryland Higher Education Commission on or before a certain date; providing that certain documents and reports are public records; and generally relating to the requirements for the hiring of outside legal counsel by institutions of higher education in the State.

BY adding to

Article – Education  
Section 15–113 and 17–108  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education  
Section 17–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 697 – Delegates DeBoy and Malone**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Rails to Trails**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of Catonsville Rails to Trails, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the



encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 698 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Follow-Up Criminal History  
Records Checks  
MC 3-12**

FOR the purpose of requiring the Criminal Justice Information System Central Repository (CJIS) to provide the Board of License Commissioners for Montgomery County with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the Board with revised printed statements under certain circumstances; repealing a requirement that the Board obtain criminal records from the Montgomery County Police; defining a certain term; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10-103(b)(13)(iv)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 699 – Delegates Hixson, Barkley, Carr, Kaiser, Kramer, Luedtke,  
A. Miller, Reznik, S. Robinson, Simmons, and Zucker**

AN ACT concerning

**Home Visiting Accountability Act of 2012**

FOR the purpose of requiring the State to fund only certain home visiting programs for improving parent and child outcomes, as provided in the State budget; requiring that not less than a certain percentage of State funding for home visiting programs be made available to evidence-based home visiting programs; requiring certain home visiting programs to submit regular reports; specifying the contents of the reports to be submitted by certain home visiting programs; requiring the development of reporting and monitoring procedures for certain home visiting programs by the Governor's Office for Children and the agencies of the Children's Cabinet; requiring the Governor's Office for Children and the

agencies of the Children’s Cabinet to report on the implementation and outcomes of certain home visiting programs to the Governor and certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to home visiting programs.

BY renumbering

Article – Human Services  
Section 8–506  
to be Section 8–508  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 8–101  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY adding to

Article – Human Services  
Section 8–506 and 8–507  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 700 – Delegate Feldman**

AN ACT concerning

#### **Commercial Law – Uniform Commercial Code – Revisions to Title 1**

FOR the purpose of revising, updating, reorganizing, and clarifying Title 1 of the Maryland Uniform Commercial Code (MUCC) relating to general provisions applicable to the MUCC; establishing a certain short title; clarifying the transactions to which Title 1 of the MUCC applies; providing for the effect of Title 1 of the MUCC on a certain federal law; authorizing the subordination of an obligation or a right to performance under certain circumstances; providing that subordination does not create a certain security interest; making certain stylistic changes; defining certain terms; altering and repealing certain definitions; making conforming changes to certain provisions of the MUCC; and generally relating to the Maryland Uniform Commercial Code.

BY repealing

Article – Commercial Law  
Section 1–101 through 1–208 and the title “Title 1. General Provisions”; and  
2–208 and 2A–207

Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

Section 1–101 through 1–108 to be under the new subtitle “Subtitle 1. General Provisions”; 1–201 through 1–206 to be under the new subtitle “Subtitle 2. General Definitions and Principles of Interpretation”; and 1–301 through 1–310 to be under the new subtitle “Subtitle 3. Territorial Applicability and Applicable Law”; and the new title “Title 1. General Provisions”

Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 2–103(1), 2–202, 2A–103(3), 2A–501(4), 2A–518(2), 2A–519(1), 2A–527(2), 2A–528(1), 3–103(a)(4) and (10), 4–104(c), 4A–105(a)(6) and (7), 4A–106(a)(1), 4A–204(b), 5–103(c), 8–102(a)(10), and 9–102(a)(43)

Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 701 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County Board of Education – Student Member – Voting MC 9–12**

FOR the purpose of authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a certain matter; authorizing the student member of the Montgomery County Board of Education to vote on certain matters; and generally relating to the voting rights of the student member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–901(e)

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 6–202(a)

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 702 – Delegates Mitchell, Haynes, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Academy of Success Community Empowerment Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Academy of Success, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 703 – Delegates Norman, Eckardt, Elliott, Frank, Kipke, McComas, McDermott, W. Miller, and Stocksdales**

AN ACT concerning

**Courts – Foreign Language Interpreters – Assessment of Costs**

FOR the purpose of requiring a court to conduct a certain assessment if a party in a case was appointed a foreign language interpreter; establishing an exception to the requirement if a criminal defendant who was appointed a foreign language interpreter was represented by the Office of the Public Defender; exempting a party who meets certain thresholds from being assessed the costs of a foreign language interpreter; making stylistic changes; and generally relating to the assessment of costs for a foreign language interpreter.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 9–114  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 704 – Delegates Norman, Afzali, Aumann, DeBoy, Eckardt, Frank, James, K. Kelly, McComas, McDermott, Smigiel, Stocksdales, and Wilson**

AN ACT concerning

**Civil Actions – Service of Process**

FOR the purpose of requiring a proof of service of process filed with the court to include certain information if service is effected by leaving copies of the summons and complaint with a person of suitable age and discretion residing at the defendant's dwelling house or usual place of abode; establishing that the proof of service need not contain a description of the person served if the person served is a defendant; requiring a certain individual making service of process in a civil action to file proof of service under affidavit that includes certain information; and generally relating to service of process.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–312  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 6–312.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 705 – Delegates Afzali, Cluster, Glass, Hough, Kipke, McComas, McDermott, Myers, O'Donnell, Otto, Parrott, Ready, and Smigiel**

AN ACT concerning

**Election Law – Polling Places – Proof of Identity**

FOR the purpose of requiring the Motor Vehicle Administration to transmit certain physical identification information to the State Board of Elections for each registered voter who is a driver's license or identification card holder; requiring the election register to contain physical identification information for registered voters who are eligible to vote at each precinct and early voting center; requiring an election judge to establish a voter's identity by comparing the voter's physical appearance to the physical identification information for the voter or requiring the voter to present certain identification; requiring an election judge to refer a voter for provisional voting if the voter's identity cannot be verified or if the voter indicates a change of address; prohibiting a provisional ballot cast by a voter whose identity cannot be verified from being counted unless the voter presents certain identification in person at the office of the local

board within a certain period of time; prohibiting a person from voting or attempting to vote under a false form of identification; defining certain terms; and generally relating to requiring proof of identity of voters at polling places.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–310 and 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 706 – Delegates Holmes, Hubbard, and Valentino–Smith**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Prince George’s  
Community Safety and Surveillance Systems and Equipment – 23rd  
Legislative District**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$175,000, the proceeds to be used as a grant to the Board of Directors of the 301 Community Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 707 – Delegates Valentino–Smith, Cluster, Cullison, A. Kelly,  
McComas, McDermott, Parrott, Proctor, Valderrama, and Vallario**

AN ACT concerning

**Wrongful Death and Survival Causes of Action – Criminal Homicide – Time  
Limits for Bringing Civil Action**

FOR the purpose of providing that a wrongful death cause of action or survival cause of action arising from conduct that constitutes a criminal homicide under State or federal law accrues at a certain time under certain circumstances; establishing a presumption that a party should have discovered the identity of a person who contributed to a criminal homicide under certain circumstances; providing for the application of this Act; and generally relating to certain time limits for bringing certain civil actions concerning a criminal homicide.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–904(g)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–904(g)(3) and 5–203.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 708 – Delegates Valentino–Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott, Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher**

AN ACT concerning

**Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court**

FOR the purpose of altering provisions relating to the expungement of certain criminal records by authorizing a person to file, and requiring a court to grant, a petition for expungement of a criminal charge transferred to the juvenile court under a certain provision of law; repealing a certain obsolete definition; and generally relating to the expungement of certain criminal charges transferred to the juvenile court.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure  
Section 4–202 and 4–202.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 10–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 709 – Delegates Valentino–Smith, Alston, Arora, Braveboy, Burns, Hough, Hubbard, McComas, McDermott, Mitchell, and Stukes**

AN ACT concerning

**General Assembly – Fiscal Notes – Criminal Justice Policy Impact Statements**

FOR the purpose of requiring a fiscal note for a bill to include a criminal justice policy impact statement under certain circumstances; requiring the criminal justice policy impact statement to contain certain information; requiring the Department of Legislative Services to prepare the criminal justice policy impact statement by requesting certain information from certain entities; prohibiting certain entities from being required to prepare information for inclusion in the criminal justice policy impact statement; and generally relating to criminal justice policy impact statements in fiscal notes.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1505(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 710 – Delegate Holmes**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hamptons at Oak Creek  
– Security Equipment**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Hamptons at Oak Creek Homeowners Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 711 – Delegates Bromwell, Boteler, Cane, Cardin, Clagett, Cluster, Conaway, Costa, DeBoy, Donoghue, Elliott, Frank, Glenn, Guzzone, Hershey, Hogan, Impallaria, Ivey, Jacobs, James, Kach, K. Kelly, Kipke, McDermott, McDonough, McHale, W. Miller, Minnick, Mitchell, Morhaim, Oaks, Otto, Reznik, B. Robinson, Rudolph, Schulz, Smigiel, Tarrant, Weir, and Wood**

AN ACT concerning



### **Video Lottery Terminals – Baltimore–Washington International Thurgood Marshall Airport**

FOR the purpose of altering the number of video lottery operation licenses and video lottery terminals that may be awarded by the Video Lottery Facility Location Commission to provide for the award of a video lottery operation license at Baltimore–Washington International Thurgood Marshall Airport under certain conditions; providing that a certain restriction on the number of video lottery operation licenses that may be awarded in a county or Baltimore City is not applicable; requiring that certain proceeds be paid into the Transportation Trust Fund; providing that an application for a certain video lottery operation license be made by a certain date; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the operation of video lottery terminals at a certain location in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–05(a), 9–1A–27(a), and 9–1A–36(f), (g), (h), (i), (j), and (q)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 712 – Delegate Carr**

AN ACT concerning

#### **Street Lighting – Purchase of Equipment by Local Government and Tariff**

FOR the purpose of requiring a local government to pay a certain electric company the fair market value of certain street lighting equipment as determined by an agreement between the local government and the electric company or as determined in a condemnation proceeding; authorizing a local government to include in a single petition of condemnation all street lighting equipment in its jurisdiction that the local government seeks to acquire and that is owned by one electric company; specifying certain factors to be considered in determining fair market value of street lighting equipment under certain circumstances; authorizing a local government that owns street lighting equipment to maintain the equipment under certain circumstances; requiring certain electric companies to provide a certain list of contractors and a certain training program under certain circumstances; authorizing a local government to replace certain lighting fixtures under certain circumstances; requiring certain electric companies to revise its tariff schedule and provide a certain standard methodology under certain circumstances; requiring certain electric companies to install certain lighting fixtures under certain circumstances; requiring the Public Service Commission to require each electric company to develop a tariff

for certain street lighting; requiring a certain tariff to include pole attachment fees or agreements under certain circumstances; and generally relating to local governments and the acquisition, maintenance, or replacement of street lighting equipment and fixtures and related tariffs, fees, methodologies, and practices of certain electric companies.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–101  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–102  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–305  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 713 – Delegate Feldman**

AN ACT concerning

#### **Commercial Law – Uniform Commercial Code – Secured Transactions – Revision**

FOR the purpose of altering the circumstances under which a secured party has control of electronic chattel paper; authorizing a certain registered organization and a branch or agency of a certain bank to designate its state of location in a certain manner; establishing certain rules applicable to collateral to which a security interest attaches within a certain period of time; establishing certain rules applicable to a financing statement naming an original debtor that is filed pursuant to the law of a certain jurisdiction; altering the circumstances under which a certain licensee or buyer of certain collateral takes free of a security

interest; altering the circumstances under which a security interest created by a new debtor is perfected; altering the applicability of certain provisions of law governing terms in certain agreements or promissory notes; altering and clarifying certain provisions of law that establish when a financing statement sufficiently provides the name of the debtor and when the name of the debtor becomes insufficient; altering the circumstances under which a filing does not occur with respect to certain records; authorizing a person to file an information statement with respect to a certain record under certain circumstances; specifying the contents of an information statement; providing that the filing of an information statement does not affect the effectiveness of a certain financing statement or record; altering the circumstances under which a filing office that accepts written records is prohibited from refusing to accept certain documents; establishing certain transition provisions; altering certain definitions; defining certain terms; making certain stylistic, conforming, and clarifying changes; providing for a delayed effective date; and generally relating to secured transactions.

BY renumbering

Article – Commercial Law

Section 9–102(a)(69) and (70) and (72) through (81), respectively  
to be Section 9–102(a)(70) and (71) and (73) through (82), respectively  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 9–102(a)(7), (10), (50), and (71), 9–105, 9–307(f), 9–311(a), 9–317(b) and  
(d), 9–326, 9–406(e), 9–408(b), 9–503(a) and (b), 9–507, 9–515(f), 9–516,  
9–518, 9–521, and 9–607(b)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

Section 9–102(a)(69), 9–316(h) and (i), and 9–503(f), (g), and (h); and 9–801  
through 9–810 to be under the new subtitle “Subtitle 8. Transition  
Provisions for 2012 Amendments”  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 9–406(d), 9–408(a), and 9–607(a)(3)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 714 – Delegates Gaines, Healey, and Ross**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hamilton Street Parking**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$950,000, the proceeds to be used as a grant to the Board of Directors of the Hyattsville Community Development Corporation of the city of Hyattsville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 715 – Delegate Feldman**

AN ACT concerning

**Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement**

FOR the purpose of providing that written consent by an uninsured motorist insurer to acceptance of a certain settlement offer may not be construed to limit the right of the uninsured motorist insurer to raise certain issues in an action against the uninsured motorist insurer and does not constitute an admission by the uninsured motorist insurer as to any issue raised in the action; and generally relating to uninsured motorist coverage.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–511

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 716 – Delegates Hershey, Jacobs, and Smigiel**

AN ACT concerning

**Alcoholic Beverages – Queen Anne’s County – Beer and Wine Festivals**

FOR the purpose of authorizing the Queen Anne's County Board of License Commissioners to issue a certain number of Beer and Wine Festival (BWF) licenses in the county each year; authorizing the Board to select a certain number of weekends each year for a certain festival; requiring the Board to choose a certain location for a certain festival and to assure that the primary focus of a certain festival is the promotion of certain beer and wine; altering a certain definition; and generally relating to beer and wine festivals in Queen Anne's County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–311  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 717 – Delegates Hershey, Jacobs, Kipke, McDermott, and Smigiel**

AN ACT concerning

**Alcoholic Beverages – Distilleries – Tours, Samples, and Sales**

FOR the purpose of expanding the privileges of a distillery license so that the holder of the license may conduct guided tours of the licensed premises, serve not more than a certain number of samples of products manufactured at the licensed premises, sell certain foods and beverages, sell products manufactured on the licensed premises for consumption off the licensed premises, and sell related merchandise; and generally relating to the privileges of alcoholic beverages and distillery licenses.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–202  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 718 – Delegates Hershey, Jacobs, and Smigiel**

AN ACT concerning

**Queen Anne's County – Alcoholic Beverages – Micro-Brewery Licenses**

FOR the purpose of adding Queen Anne's County to the list of counties in which a Class 7 micro-brewery license may be issued; adding the county to the list of

counties in which the license holder may sell at retail beer brewed under the license for consumption off the licensed premises under certain conditions; and generally relating to alcoholic beverages in Queen Anne's County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 719 – Delegates Nathan–Pulliam, Frush, Glenn, Hubbard, Jones, Kipke, Lee, McIntosh, Oaks, Pena–Melnik, and Tarrant**

AN ACT concerning

**Adoption – Access to Birth and Adoption Records and Search, Contact, and Reunion Services**

FOR the purpose of making certain provisions of law authorizing access to certain birth and adoption records by certain adoptees and biological parents applicable to adoptions in which a juvenile court entered an order for adoption before a certain date; repealing provisions of law limiting, under certain circumstances, access to certain information in certain birth and adoption records by certain adoptees and biological parents for certain adoptions in which a juvenile court entered an order for adoption on or after a certain date, except under certain circumstances; repealing the right of certain adoptees and biological parents to file a disclosure veto barring the disclosure of certain information in certain birth or adoption records; altering the age at which an adoptee or a biological parent may apply to the Secretary of Health and Mental Hygiene for a copy of certain birth or adoption records; authorizing certain adoptees and biological parents who filed a disclosure veto before a certain date to cancel the disclosure veto; requiring the Secretary to redact from a copy of certain birth and adoption records information concerning certain individuals who filed certain disclosure vetoes before a certain date; requiring the Secretary to collect certain data and make certain reports; altering the age at which certain individuals may apply to the Director of the Social Services Administration to receive adoption search, contact, and reunion services; altering the age of certain individuals who a confidential intermediary is authorized to attempt to contact under certain circumstances; making certain conforming changes; altering a certain definition; and generally relating to birth and adoption records and adoption search, contact, and reunion services.

BY repealing and reenacting, with amendments,  
Article – Family Law

Section 5-321(a)(3), 5-339(a)(3), 5-351(a), 5-359, 5-3A-19(a), 5-3A-35(c),  
5-3A-42, 5-3B-21(a), 5-3B-29, 5-4B-01, 5-4B-02(a), and 5-4B-11  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 4-219(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 720 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Solicitation of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program or Prohibition MC 12-12**

FOR the purpose of authorizing the Montgomery County Council to enact a local law to require a person to obtain a certain permit before standing in a median divider or on a sidewalk adjacent to a roadway to solicit money or donations of any kind from the occupant of a vehicle; prohibiting a person from standing in a roadway, median divider, or intersection, or on a sidewalk adjacent to a roadway, to solicit money or donations from the occupant of a vehicle, if a certain permit is required under a local law enacted under this Act and the permit has not been obtained in accordance with the local law; prohibiting a local law enacted under this Act from authorizing a permit to be issued to a minor for certain purposes; authorizing the Montgomery County Council to enact a local law to prohibit a person from standing in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle; and generally relating to the solicitation of money or donations from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21-507(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 721 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Solicitation and Collection of Money or Donations  
from Occupants of Vehicles – Adoption of a Permit Program  
MC 10–12**

FOR the purpose of authorizing the Montgomery County Council to enact a local law to require a person to obtain a certain permit before standing in a roadway or median divider or on a sidewalk adjacent to a roadway to solicit and collect money or donations of any kind from the occupant of a vehicle; prohibiting a person from standing, or causing, encouraging, allowing, or petitioning a person to stand in a roadway, median divider, or intersection, or on a sidewalk adjacent to a roadway, to solicit or collect money or donations from the occupant of a vehicle, if a certain permit is required under a local law enacted under this Act and the permit has not been obtained in accordance with the local law; prohibiting a local law enacted under this Act from authorizing a permit to be issued to a minor for certain purposes; and generally relating to the solicitation and collection of money or donations from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–507(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 722 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Real Property – Enforceability of Recorded Covenants  
and Restrictions – Agricultural Activities and Structures  
MC 16–12**

FOR the purpose of providing that certain provisions of certain recorded covenants and restrictions in Montgomery County are unenforceable; providing for the construction and application of this Act; and generally relating to the enforceability of certain recorded covenants and restrictions in Montgomery County.

BY adding to  
Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Environmental Matters.

**House Bill 723 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – On-Site Sewage Disposal System and Well Easements  
– Rural Zones  
MC 7–12**

FOR the purpose of providing that, with certain exceptions, in Montgomery County an on-site sewage disposal system or well located in a certain rural zone may serve a certain property under certain easements under certain circumstances; establishing certain exceptions; defining a certain term; and generally relating to on-site sewage disposal system and well easements in Montgomery County.

BY adding to

Article – Environment

Section 9–1110

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 724 – Delegates Kaiser, Carr, Frick, Luedtke, B. Robinson,  
Stocksdale, Stukes, Summers, Washington, and Zucker**

AN ACT concerning

**State Department of Education – School Guidance Counselors – Reporting**

FOR the purpose of requiring local school systems to report certain information on school guidance counselors to the State Department of Education on or before a certain date; requiring the State Department of Education to report certain information to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to reporting of information on school guidance counselors.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 725 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – County Council Special Elections – Voting by Mail  
MC 5–12**

FOR the purpose of requiring that voting by mail be utilized in certain special elections for the Montgomery County Council; specifying the application of certain provisions of law to a special election for the Montgomery County Council; requiring the local board of elections to mail a vote-by-mail ballot to each active registered voter who is eligible to vote in a certain special election; specifying that a voter is not required to submit an application to receive a vote-by-mail ballot; requiring that a postage-paid envelope be provided in which a voter may return a vote-by-mail ballot to the local board; requiring the local board to issue a replacement vote-by-mail ballot to a voter under certain circumstances; requiring the Montgomery County Council to establish the date of a special election; specifying certain deadlines for candidate filing, ballot certification, and mailing of vote-by-mail ballots to voters; requiring the local board to establish at least one polling place for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a polling place established by the local board; authorizing the local board to establish a polling place during a certain time period; requiring a voter to return a vote-by-mail ballot by certain methods; authorizing a voter to designate an agent to return a vote-by-mail ballot to the local board; requiring that a vote-by-mail ballot be returned to the local board by certain deadlines to be considered timely and be counted; providing for the application of this Act; requiring the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections for the Montgomery County Council.

BY adding to

Article – Election Law

Section 9-501 through 9-507 to be under the new subtitle “Subtitle 5. Voting by Mail”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 726 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies MC 13-12**

FOR the purpose of authorizing the governing body of Montgomery County to grant, by law, a tax credit against the county property tax imposed on certain property owned or leased by certain benefit corporations or benefit limited liability companies; authorizing the governing body of Montgomery County to provide, by law, for eligibility and certification criteria for the credit, the amount and duration of the credit, certain regulations and procedures for the credit, limited

amount of the tax credit granted, and any other provision necessary to carry out the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Montgomery County for certain benefit corporations and benefit limited liability companies.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 4A–1101(a) and (b), 4A–1103(a), 5–6C–01(a) and (b), and 5–6C–03(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 9–317(g)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 727 – Delegates Waldstreicher and Hubbard**

AN ACT concerning

#### **Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction**

FOR the purpose of requiring the Department of the Environment, in consultation with the Department of Health and Mental Hygiene, to publish on its Web site lists of certain chemicals of concern and certain chemicals of high concern designated in accordance with certain criteria on or before certain dates; providing for the updating of the lists at certain intervals; authorizing the Department to adopt certain regulations to implement this Act; providing for the application of this Act; defining certain terms; and generally relating to toxic chemicals in children’s products.

BY adding to

Article – Environment

Section 6–1501 through 6–1505 to be under new subtitle “Subtitle 15. Toxic Chemicals in Children’s Products”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 728 – Delegate Dwyer**

## CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Marriage Protection Act**

FOR the purpose of adding a new section to the Maryland Constitution to establish that only a marriage between a man and a woman is valid in this State; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article XV – Miscellaneous  
Section 8

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

**House Bill 729 – Delegates Kramer, Anderson, Bromwell, Clippinger, Cluster, Costa, DeBoy, Feldman, Gaines, Glass, Guzzone, Holmes, Ivey, Jameson, Krebs, Lafferty, McComas, McConkey, Pena–Melnyk, Reznik, Szeliga, and Wood**

AN ACT concerning

**Consumer Protection – Tire Age – Required Notice**

FOR the purpose of requiring a tire manufacturer or distributor to affix on any tire manufactured for sale in the State a label that displays in a certain manner the month and year in which the tire was manufactured and a certain statement relating to tire age and tire deterioration; requiring a merchant to provide to a consumer who purchases a tire from the merchant a receipt or an invoice stating in a certain manner the month and year in which the tire was manufactured; requiring a merchant to provide a certain written disclosure to a consumer; requiring a merchant, if a tire is a certain age, to require the consumer to sign the disclosure, provide a copy to the consumer, and retain the original signed disclosure for a certain period of time; prohibiting a merchant from removing a certain label unless the consumer requests that the merchant remove the label; establishing a certain penalty for a violation of this Act; defining certain terms; and generally relating to notices relating to tire age and safety.

BY adding to  
Article – Commercial Law  
Section 14–1324  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 730 – Delegate Kramer**

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien –  
Balloon Payments**

FOR the purpose of altering the circumstances under which a credit grantor is authorized to require a consumer borrower to pay a balloon payment at maturity of an installment loan secured by a lien on a motor vehicle; limiting the authority to liens on certain motor vehicles and installment loans in excess of certain amounts; and generally relating to installment loans secured by a lien on a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–1003  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 731 – Delegate Lafferty**

AN ACT concerning

**Housing and Community Development – Neighborhood and Community  
Assistance Program – Project Proposals**

FOR the purpose of increasing the maximum sum of contributions for certain projects under the Neighborhood and Community Assistance Program that are eligible for a certain tax credit; authorizing the Department of Housing and Community Development to give preference to a proposal for a certain project that benefits a certain neighborhood conservation district; and generally relating to project proposals under the Neighborhood and Community Assistance Program.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 6–405  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 732 – Delegate Beitzel**

AN ACT concerning

**Environment – Gas and Oil Leases – Requirements**

FOR the purpose of requiring a certain person that enters into a certain gas or oil lease after a certain date to record the lease within a certain period of time; requiring that certain information be stated conspicuously in a certain gas or oil lease; providing that a certain gas or oil lease is not valid unless it meets the requirements of this Act; and generally relating to gas and oil leases in the State.

BY adding to

Article – Environment

Section 14–113.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 733 – Delegate Beitzel**

AN ACT concerning

**Public Utility Companies – Generating Stations – Wind**

FOR the purpose of repealing a provision that exempts a certain person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; and generally relating to electricity from wind generating stations.

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–207(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–207.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 734 – Delegates Schulz, Aumann, Beitzel, Bromwell, Clagett, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Krebs, McDermott, W. Miller, Minnick, Otto, Ready, Rudolph, Serafini, Smigiel, and Stifler**

AN ACT concerning

**Business Regulation – Independent Contractor Registry – Presumptions  
Under Workplace Fraud Act**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to develop and maintain an Independent Contractor Registry; authorizing an individual who performs work as an independent contractor in certain industries to register with the Registry; requiring the Department, in consultation with the Commissioner of Labor and Industry, to adopt certain regulations; establishing that work performed by an individual registered with the Registry is not presumed to create an employer–employee relationship for the purposes of certain provisions related to workplace fraud; requiring the Commissioner to consider, as strong evidence that an employer did not knowingly fail to properly classify an individual, whether the employer sought and obtained evidence that the individual is an independent contractor registered with the Registry; defining certain terms; and generally relating to independent contractors and workplace fraud.

BY adding to

Article – Business Regulation

Section 19–701 through 19–703 to be under the new subtitle “Subtitle 7.  
Independent Contractor Registry”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–901(b) and (f)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–903 and 3–904

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 735 – Delegates Schulz, Aumann, Cluster, Dumais, Dwyer, Eckardt, Elliott, Frank, Glass, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Kipke, Krebs, McComas, McConkey, McDermott, W. Miller, Norman, O'Donnell, Otto, Serafini, Szeliga, and Vitale**

AN ACT concerning

**Estates and Trusts – Slayer's Rule  
(Ann Sue Metz Law)**

FOR the purpose of clarifying that a person who feloniously and intentionally kills the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefitting from the estate, insurance proceeds, or property of the decedent; clarifying that a person may not inherit, take, enjoy, receive, or otherwise benefit from the estate, insurance proceeds, or property of the decedent as a direct result of the disqualification of the killer of a certain decedent, even though that person is innocent of any wrongdoing; establishing that a certain person shall be treated as if the person predeceased a certain decedent; requiring a certain person to make restitution to another person in certain circumstances; establishing the liability of a certain person in certain circumstances; authorizing a court to order that a certain benefit be held in trust for a certain person; providing for the application of this Act; and generally relating to the killing of a decedent.

BY adding to

Article – Estates and Trusts

Section 11–112

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 736 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Animal Control Ordinance – Enabling Authority**

FOR the purpose of authorizing the County Commissioners of Garrett County to adopt a certain animal control ordinance; authorizing a certain animal control officer to deliver a certain citation to a person believed to be committing a violation of an animal control ordinance adopted by the county commissioners; establishing the contents of a certain citation; establishing a certain maximum penalty; authorizing the county commissioners to establish certain fines and procedures; authorizing a person who receives a certain citation to elect to stand trial; establishing certain procedures relating to the prosecution and trial of a person



who violates an animal control ordinance; providing that a person who commits a violation of an animal control ordinance is liable for court costs under certain circumstances; making certain conforming changes; and generally relating to the adoption of an animal control ordinance in Garrett County.

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 236A  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 737 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)**

EMERGENCY BILL

AN ACT concerning

**Baltimore County – Alcoholic Beverages Licenses**

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to approve the transfer of certain alcoholic beverages licenses in existence in a certain election district on a certain date to certain election districts based on a certain rule; establishing a certain limit on the number of licenses that may be transferred during a certain period; requiring the Board to create and issue a certain number of Class B Service Bar (SB) beer and wine licenses during certain time periods under certain circumstances; requiring a Class B Service Bar (SB) beer and wine license to comply with certain provisions of law relating to the operation of restaurants; establishing a certain fee; requiring the conversion of a Class D license to a Class B license that is transferred from a certain election district to any other election district and prohibiting its transfer or conversion to another class of license; prohibiting the transfer from a licensed premises or conversion to another class of license of any new license issued by the Board based on a certain increase in population; requiring the issuance of a license for a partnership to be issued to at least two general partners, at least one of whom is a registered voter of any county or Baltimore City and resides in the county or Baltimore City at the time of application; requiring the Board to issue a license to only one partner of a partnership as an individual under certain circumstances; altering the maximum number of certain licenses an individual or a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company may obtain a certain interest in; repealing certain provisions of law relating to minimum seating capacity for dining and a maximum percentage of sales in alcoholic beverages; altering a certain residency requirement for certain license applicants to require residency in the State for a certain period of

time; repealing a certain provision of law requiring that a certain certificate be signed by a certain number of citizens regarding the length of time each has been acquainted with a certain applicant; requiring the Board to allow a certain reduction of certain square footage requirements applicable to certain buildings under a certain rule; requiring the County Executive for Baltimore County to appoint a certain task force to study certain issues relating to the distribution of alcoholic beverages licenses in Baltimore County; providing for the construction of certain provisions of this Act; making this Act an emergency measure; and generally relating to the transfer and issuance of alcoholic beverages licenses in Baltimore County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–204.7 and 8–204.8  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–101(a)(1), 9–102(b–3B)(1) and (b–3C)(1), and 10–103(b)(4) and (18)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing

Article 2B – Alcoholic Beverages  
Section 10–104(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 738 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Neighbor–Space of Baltimore County**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 739 – Allegany County Delegation**

AN ACT concerning

**Bow Hunting – Possession of Handguns for Protection**

FOR the purpose of prohibiting the Department of Natural Resources from restricting certain licensed bow hunters from carrying a handgun under certain circumstances; defining a certain term; making stylistic changes; and generally relating to the use of weapons while hunting wildlife.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–408  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 740 – Delegate Braveboy**

AN ACT concerning

**Residential Condominiums – Governing Documents – Claims Provisions**

FOR the purpose of making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that purports to shorten the statute of limitations applicable to certain claims, purports to waive the application of a certain rule or other accrual date applicable to certain claims, operates to prevent a unit owner or the council of unit owners from asserting a certain claim in a certain manner within the applicable statute of limitations, or requires a unit owner or the council of unit owners to assert a certain claim within a certain period of time under certain circumstances; making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that requires a certain vote of unit owners as a precondition to the institution or maintenance of certain proceedings unless the council of unit owners adopts the provision under certain circumstances; providing for the applicability of this Act; and generally relating to claims provisions in the governing documents of a residential condominium.

BY adding to  
Article – Real Property  
Section 11–134.1

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 741 – Delegate Braveboy**

AN ACT concerning

#### **Common Ownership Communities – Fidelity Insurance – Indemnification**

FOR the purpose of altering the scope of indemnification provided by fidelity insurance that the board of directors or other governing body of a cooperative housing corporation, council of unit owners or other governing body of a condominium, or board of directors or other governing body of a homeowners association is required to purchase under certain circumstances; requiring a management company that provides certain services to a cooperative housing corporation, condominium, or homeowners association to purchase certain fidelity insurance under certain circumstances; making stylistic changes; and generally relating to common ownership communities and fidelity insurance.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–6B–18.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–114.1 and 11B–111.6  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 742 – Delegate Barnes**

AN ACT concerning

#### **Bail Bondsmen – Qualifications for Licensure – Acceptance of Installment Contracts**

FOR the purpose of establishing certain qualifications for licensure as a bail bondsman; authorizing certain bail bondsmen to arrange to accept payment for the premium charged for a bail bond in installments; providing that, if a bail bondsman arranges to accept payment of a bail bond premium in installments, the installment agreement shall include certain information; requiring a bail

bondsman to secure a certain affidavit of surety containing certain information under certain circumstances; requiring a bail bondsman, if arranging to accept payment of a bail bond premium in installments, to take certain actions and keep certain records; requiring a bail bondsman to keep certain records in a certain location and to make certain records available to the Maryland Insurance Commissioner for inspection; requiring bail bondsmen to certify to the Commissioner at a certain time the accuracy and truth of certain records; providing certain penalties for certain violations of this Act; providing for the application of this Act; and generally relating to the regulation of surety bondsmen.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 5–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–302 and 10–305  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 10–309  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary and the Committee on Economic Matters.

**House Bill 743 – Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Murphy, Oaks, B. Robinson, Tarrant, V. Turner, and Valderrama**

AN ACT concerning

**Inmates – Hepatitis C – Testing, Prevention, Counseling, and Treatment**

FOR the purpose of requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Health and Mental Hygiene, to establish a voluntary hepatitis C testing program for certain inmates as part of the intake and release process; requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Health and Mental Hygiene, to establish certain protocols for the prevention of hepatitis C infection among inmates and the treatment of certain inmates who have been

diagnosed with hepatitis C; requiring certain protocols to include guidelines for the treatment of an inmate scheduled for release before the date of completion of the treatment that includes certain referrals for the continuation of treatment after release of the inmate; requiring the Department of Public Safety and Correctional Services to make certain educational resources available to a certain inmate prior to the release of the inmate; requiring certain counseling of certain inmates to include management of side effects during treatment and the establishment of peer education and support groups to provide certain information; requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Health and Mental Hygiene, to develop certain regulations; and generally relating to inmates with hepatitis C.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–613  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 744 – Delegate Beitzel**

AN ACT concerning

#### **Business Occupations – Landmen – Registration**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to establish and maintain a landman registry; prohibiting a person from acting, offering to act, or holding oneself out in the State as a landman unless registered with the Department; requiring a person to apply for registration by submitting a certain form, paying a certain fee, and complying with certain other requirements; specifying the contents of the registration application form; requiring the Department to register and issue a registration number to a certain applicant; prohibiting the transfer, assignment, or pledge of a certain registration number; providing for the expiration of a certain registration; authorizing a certain registrant to renew a registration; requiring the Department to renew a certain registration under certain circumstances; requiring a registrant to send the Department a certain notice; authorizing the Department to take certain disciplinary action; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring that certain fees, civil penalties, and fines be deposited into a certain fund; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the registration of landmen in the State.

BY adding to

Article – Business Occupations and Professions  
Section 17.5–101 through 17.5–112 to be under the new title “Title 17.5.  
Landmen”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–122  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the  
Committee on Environmental Matters.

### **House Bill 745 – Delegates Serafini, Bates, and McComas**

AN ACT concerning

#### **Education – Maryland Advisory Council for Virtual Learning – Establishment**

FOR the purpose of establishing the Maryland Advisory Council for Virtual Learning within the Department of Education; requiring the Department to provide staff for the Council; establishing the mission of the Council; identifying the membership of the Council; establishing the membership term; requiring the State Superintendent or the Governor to appoint a member in the event of a vacancy; requiring the Council members to elect the Council chair; prohibiting a member from receiving compensation except under certain circumstances; establishing a quorum of the Council; requiring the Council to meet for a certain number of times; establishing the responsibilities of the Council; requiring the Council to submit a certain report by a certain time; defining a certain term; and generally relating to the Maryland Advisory Council for Virtual Learning.

BY adding to  
Article – Education  
Section 7–10B–01 through 7–10B–06 to be under the new subtitle “Subtitle 10B.  
Maryland Advisory Council for Virtual Learning”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 746 – Delegates Tarrant, Oaks, and Pena–Melnyk**

AN ACT concerning

**Institutions of Postsecondary Education – Electronic Account, Service, and  
Communications Device Privacy Protection**

FOR the purpose of prohibiting an institution of postsecondary education from requiring a student or an applicant for admission to provide access to a student's or applicant's personal account or service through an electronic communications device, to disclose any user name, password, or other means for accessing certain accounts or services through an electronic communications device, or to install on certain electronic communications devices software that monitors or tracks electronic content; prohibiting an institution of postsecondary education from taking, or threatening to take, certain disciplinary actions for a student's or applicant's refusal to provide certain access, disclose certain information, or install certain software; defining certain terms; and generally relating to electronic account, service, and communications devices used by applicants to and students of institutions of postsecondary education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–101(a), (i), and (l)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 26–401 to be under the new subtitle “Subtitle 4. Electronic Account and  
Device Privacy Protection”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 747 – Delegate Beitzel**

EMERGENCY BILL

AN ACT concerning

**Garrett County – County Commissioners – Wind Energy Conversion Systems**

FOR the purpose of requiring that certain wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain wind energy conversion systems, the Garrett County Department of Planning and Land Development retain a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the



construction of certain wind energy conversion systems and on a certain periodic basis, the Department to retain a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the termination of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners  
Section 236G  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 748 – Delegates Parrott, Afzali, Aumann, Bates, Boteler, Cluster, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Kipke, Krebs, McComas, McDermott, McDonough, W. Miller, Norman, O’Donnell, Otto, Ready, Schulz, Serafini, Stocksdale, Szeliga, and Vitale**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Maryland Constitution – Congressional Districts – Requirements as to Territory, Form, and Boundaries**

FOR the purpose of proposing an amendment to the Maryland Constitution to specify that the districts for the election of members of the Congress of the United States shall conform to certain requirements as to territory, form, natural boundaries, and political subdivision boundaries; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

Article XV – Miscellaneous  
Section 12

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 749 – Delegate Donoghue**

AN ACT concerning

**Creation of a State Debt – Washington County – Antietam Chapter #312  
Korean War Veterans Monument**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$40,000, the proceeds to be used as a grant to the Board of Directors of the Korean War Veterans Association Antietam Chapter #312 for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 750 – Delegate McDonough**

AN ACT concerning

**Public Health – Importation, Release, and Disposal of Wildlife – Prohibition**

FOR the purpose of prohibiting, under certain circumstances, a person from importing and releasing wildlife into the State or disposing of wildlife in the State; establishing certain penalties for the violation of this Act; defining a certain term; and generally relating to the importation, release, and disposal of wildlife.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 18–217  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 18–219.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–222  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 751 – Delegate McDonough**

AN ACT concerning

**University System of Maryland – Law School Clinics – Prohibited Activities**

FOR the purpose of prohibiting the law clinic of a law school at a constituent institution of the University System of Maryland from participating in certain types of litigation; and generally relating to the activities of law clinics at the University System of Maryland.

BY adding to

Article – Education

Section 13–704

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 752 – Delegates Parrott, Afzali, Bates, Boteler, Cluster, Eckardt, Elliott, Frank, Glass, Hershey, Hough, Jacobs, Kipke, Krebs, McComas, McDermott, W. Miller, Norman, Ready, Serafini, and Stocksdale**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Capital Projects – Eliminating Individual Bond Bills**

FOR the purpose of proposing an amendment to the Maryland Constitution to prohibit members of the General Assembly from introducing legislation to create a State debt for the benefit of an individual project or entity; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department

Section 33

Read the first time and referred to the Committee on Rules and Executive Nominations.

**INTRODUCTION OF JOINT RESOLUTIONS****House Joint Resolution 9 – Delegates Valentino–Smith, Hubbard, Holmes, and Vallario**

A House Joint Resolution concerning

**Legislative Districting Plan of 2012**

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**House Rule 116**

Delegate Barve moved to make the Rule a Special Order for February 9, 2012.

The motion was adopted.

## LETTERS OF REASSIGNMENT

### MEMORANDUM

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD  
From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 565	W&M

Read and ordered journalized.

## SPEAKER'S SOCIETY PRESENTATIONS

### SPEAKER'S MEDALLION AWARD

Awarded to: Kevin A. Plank,  
Founder and Chief Executive Officer of Under Armour

### CASPER R. TAYLOR, JR. FOUNDER'S AWARD

Awarded to: Delegate Brian K. McHale of Baltimore City

### THOMAS KENNEDY AWARD

Awarded to: Senator George C. Edwards  
of Allegany, Garrett and Washington Counties

### PRESENTATION OF THE REPRODUCTION OF THE SAMUEL CHASE READING DESK

Awarded to: Speaker Michael E. Busch  
longest serving Speaker of the House of Delegates

## QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 61)

### **ADJOURNMENT**

At 10:59 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 9, 2012.

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**Annapolis, Maryland**  
**Thursday, February 9, 2012**

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The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Carolyn J. B. Howard of Prince George's County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 62)

The Journal of February 8, 2012 was read and approved.

**EXCUSES:**

Del. Cardin – birth of baby

Del. Carter – illness

Del. Griffith – illness

Del. Healey – illness

Del. Olszewski – funeral

**INTRODUCTION OF BILLS**

**House Bill 753 – Delegate Kach**

AN ACT concerning

**Maryland State Board of Morticians and Funeral Directors – Permits and  
Registration Required to Remove and Transport Human Remains**

FOR the purpose of requiring a mortuary transport service to hold a permit issued by the Maryland State Board of Morticians and Funeral Directors before removing or transporting human remains in this State; authorizing the Board to restrict the operations of certain permit holders; establishing certain application requirements for obtaining a permit; requiring a mortuary transport service to meet certain standards to qualify for a permit; requiring permit holders to use vehicles that have passed an inspection by certain inspectors; establishing the term and procedures for the renewal of a permit; requiring that certain signs and advertisements display the name that appears on a permit; requiring that individuals employed by certain permit holders be registered with the Board before removing and transporting human remains; establishing certain

requirements for obtaining registration; requiring the Board to register an individual who meets certain standards; requiring that registered transporters treat certain decedents with certain dignity and display a certain permit; authorizing the Board to deny a permit or registration to an applicant, reprimand a permit holder or registered transporter, or suspend or revoke a permit or registration under certain circumstances; providing for certain criminal and civil penalties; defining certain terms; and generally relating to the Maryland State Board of Morticians and Funeral Directors and requiring permits and registration for removing and transporting human remains.

BY renumbering

Article – Health Occupations

Section 7–601 and 7–602, respectively, and the subtitle “Subtitle 6. Short Title; Termination of Title”

to be Section 7–701 and 7–702, respectively, and the subtitle “Subtitle 7. Short Title; Termination of Title”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 7–101(a), (d), (k), (l), and (p)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 7–601 through 7–606 to be under the new subtitle “Subtitle 6. Mortuary Transport Services”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 754 – Delegate Kach**

AN ACT concerning

### **State Board of Dental Examiners – Licenses – Examination Requirements for Dentists and Dental Hygienists**

FOR the purpose of requiring certain limited licensees to pass a certain examination before the State Board of Dental Examiners is authorized to issue a certain license; clarifying that the Board or its designee will give a certain examination; altering certain examination requirements that certain dentists licensed in certain states are required to satisfy to be granted a certain license in this



State; altering certain examination requirements that certain dental hygienists licensed in certain states are required to satisfy to be granted a certain license in this State; defining certain terms; and generally relating to the State Board of Dental Examiners, licenses, and examination requirements for dentists and dental hygienists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–303.1(d) and 4–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 755 – Delegates Summers, Afzali, Cane, Clippinger, DeBoy, Feldman, Frush, Healey, Holmes, Howard, Ivey, Jones, Kaiser, Luedtke, McDermott, McDonough, Niemann, Pena–Melnyk, Vaughn, Weir, and Zucker**

AN ACT concerning

**Precious Metal Object Dealers, Pawn Shops, Scrap Metal Processors, and Automotive Dismantlers and Recyclers or Scrap Processors – Fingerprint Requirement**

FOR the purpose of requiring a precious metal object dealer, a pawnbroker, a junk dealer, a scrap metal processor, and an automotive dismantler and recycler or scrap processor to obtain a certain legible fingerprint from certain individuals at the time of certain transactions and to include the fingerprint in the records of the transaction; and generally relating to fingerprint requirements for certain transactions.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 12–301(a), (b), and (c) and 17–1011(a) and (b)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–302 and 17–1011(b)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 25–210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 756 – Delegate McDonough**

AN ACT concerning

**Public Institutions of Higher Education – Tuition Rates – Veterans**

FOR the purpose of extending the time period within which an honorably discharged veteran must present certain evidence in order to qualify for a certain tuition rate at a public institution of higher education; and generally relating to tuition rates for veterans.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.4  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 757 – Delegates Luedtke and Wilson**

AN ACT concerning

**Education – Children in State–Supervised Care – Geographical Attendance Area**

FOR the purpose of authorizing a child to remain in a school in a certain geographical attendance area regardless of whether the child resides within the area under certain circumstances; requiring that certain determinations regarding the best interests of certain children in State–supervised care be made in accordance with certain factors; requiring a county superintendent to allow a child to remain at a certain school in the county regardless of where the child is currently domiciled under certain circumstances; requiring the Secretary of Human Resources to adopt certain regulations establishing certain factors relating to the best interests of certain children; and generally relating to authorizing a child in State–supervised care to remain in a school regardless of whether the child resides in the geographical area of the school.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–109 and 7–101(b)

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 758 – Delegates Hammen and Morhaim**

AN ACT concerning

**Health Occupations Boards – Regulations – Scope of Practice Advisory  
Committees**

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to adopt regulations governing the practices of certain health occupations boards and commissions under certain circumstances; authorizing the Secretary to convene certain advisory committees for certain purposes; requiring the Secretary to notify certain committees of the General Assembly of certain appointments; requiring certain advisory committees to consist of certain members with certain expertise; requiring certain advisory committees to take into account certain considerations when reviewing scope of practice disputes; requiring certain advisory committees to complete their work within a certain time; specifying that certain advisory committees are subject to certain provisions of law relating to meetings; requiring certain advisory committees to report their findings to the Secretary; requiring the Secretary to issue a certain report to the General Assembly within a certain time of receiving certain reports from certain advisory committees; defining a certain term; and generally relating to health occupations boards, regulations, and scope of practice advisory committees.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 1–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 1–701 through 1–705 to be under the new subtitle “Subtitle 7. Scope of  
Practice Advisory Committees”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

**House Bill 759 – Delegate Hammen**

AN ACT concerning

**Maryland Medical Assistance Program – Health Care Delivery Systems –  
Pilot Project**

FOR the purpose of establishing a pilot project in the Department of Health and Mental Hygiene to test alternative and innovative health care delivery systems that provide services to certain Maryland Medical Assistance Program recipients in a certain manner; requiring the Secretary of Health and Mental Hygiene to develop a request for proposals for participation in the pilot project in consultation with certain individuals and entities; requiring the Secretary to take certain actions in developing the request for proposals; establishing certain eligibility requirements for participation by a health care delivery system in the pilot project; providing that a health care delivery system may be formed by certain groups of providers of services or suppliers; authorizing a health care delivery system to enter into certain contracts and to contract with a managed care organization to provide certain services; authorizing the Secretary to require a health care delivery system to enter into certain contracts for certain purposes; requiring the Secretary, in developing a certain payment system, to establish a certain benchmark or payment model; requiring the Secretary to submit a certain application, if necessary, and to apply for certain grants to implement this Act; and generally relating to a health care delivery systems pilot project in the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15–147

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 760 – Delegates Clippinger, Hammen, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Woman’s Industrial Exchange  
Upgrade**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to The Woman’s Industrial Exchange, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 761 – Delegate Dumais**

AN ACT concerning

**Family Law – Grandparent Visitation**

FOR the purpose of altering the circumstances under which an equity court may grant visitation rights to a grandparent of a child; and generally relating to child visitation.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 9–102  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 762 – Delegate Dumais**

AN ACT concerning

**Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act**

FOR the purpose of establishing that certain communications made in the course of and relating to certain mediations may not be disclosed by the mediators, parties to the mediations, or certain persons who participate in or are present for the mediations, under certain circumstances; establishing certain exceptions for certain communications; providing for the application of this Act; defining certain terms; providing that this Act may be cited as the Maryland Mediation Confidentiality Act; and generally relating to confidentiality of mediation communications.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–1801 through 3–1806 to be under the new subtitle “Subtitle 18.  
Maryland Mediation Confidentiality Act”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 763 – Delegate Holmes**

AN ACT concerning

### **Maryland Kinesiotherapy Act**

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of kinesiotherapy; providing that this Act does not limit the rights of certain individuals to practice certain occupations; requiring the Board to set certain fees; establishing the Kinesiotherapy Advisory Committee within the Board; providing for the membership, powers, duties, and a chair of the Committee; establishing the terms and requirements for certain members of the Committee; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice kinesiotherapy; providing that certain licensing provisions do not apply to certain students practicing kinesiotherapy under certain circumstances; providing for the qualifications for a license to practice kinesiotherapy; providing for the scope of a license to practice kinesiotherapy; providing for the issuance, expiration, and renewal of certain licenses; requiring a licensee to report certain information to the Board within a certain period of time; establishing a certain penalty; requiring a license be displayed in a certain manner; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for licensed kinesiotherapists; prohibiting certain acts; providing for certain criminal and civil penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; requiring that initial kinesiotherapist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; and generally relating to the licensure and regulation of the practice of kinesiotherapy.

BY renumbering

Article – State Government

Section 8–403(b)(33) through (69), respectively

to be Section 8–403(b)(34) through (70), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–5F–01 through 14–5F–24 to be under the new subtitle “Subtitle 5F.  
Kinesiotherapists”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 8–403(b)(33)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdale, Summers, and Zucker**

AN ACT concerning

### **Tax Credit Evaluation Act**

FOR the purpose of establishing a legislative review and evaluation process for certain credits allowed against certain taxes; establishing dates for review and other legislative action with regard to certain tax credits; providing for termination of certain tax credits under certain circumstances; repealing certain obsolete tax credits; providing for the construction of certain provisions of this Act; and generally relating to a legislative review and evaluation process for certain credits allowed against certain taxes.

BY adding to  
Article – Tax – General  
Section 1–301 through 1–311 to be under the new subtitle “Subtitle 3. Tax Credit Evaluation Act”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Labor and Employment  
Section 11–1101 through 11–1107 and the subtitle “Subtitle 11. Job Creation and Recovery Tax Credit”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Tax – General  
Section 10–704.9, 10–713, 10–719, and 10–728  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 765 – Delegates Luedtke, Cullison, A. Kelly, and Mizeur**

AN ACT concerning

**State Personnel – State Personnel Disability Accommodation Fund**

FOR the purpose of establishing the State Personnel Disability Accommodation Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Budget and Management to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing for the reimbursement of certain money to the Fund; requiring a certain appropriation to the Fund for a certain fiscal year; defining a certain term; and generally relating to the State Personnel Disability Accommodation Fund.

BY adding to

Article – State Personnel and Pensions

Section 2–801 to be under the new subtitle “Subtitle 8. State Personnel Disability Accommodation Fund”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)62. and 63.

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)64.

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.



**House Bill 766 – Delegates Vallario, Proctor, Alston, Bohanan, Braveboy, Davis, Elliott, Frush, Gaines, Healey, Hershey, Holmes, Hough, Howard, Hubbard, Ivey, K. Kelly, Lee, McDermott, Niemann, Summers, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and Wilson**

AN ACT concerning

**State Government – Commemorative Days – Crime Victims and Advocates**

FOR the purpose of requiring the Governor annually to proclaim a certain day in April as Crime Victim and Advocate Commemorative Day to honor certain crime victims and advocates in the State; requiring the Governor annually to take certain steps to publicize Crime Victim and Advocate Commemorative Day; and generally relating to the commemoration of crime victims and the advocates who serve those victims.

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 767 – Delegate Davis**

AN ACT concerning

**Alcoholic Beverages – Class B Licenses – Restaurants**

FOR the purpose of authorizing a business in which a parent company has a direct or indirect interest and that operates using a certain trademark used in connection with restaurant services to obtain a Class B beer license, Class B beer and wine license, or a Class B beer, wine and liquor license for certain premises used as a restaurant; requiring an applicant for a certain license to apply for the license in a certain manner and pay a certain fee; limiting the granting of a certain license to a certain purpose of providing alcoholic beverages for consumption on the licensed premises only; making a certain exception; establishing that certain provisions of law do not limit the rights of certain persons to obtain certain licenses; providing that the granting of a certain license is not subject to certain provisions of law limiting the number of permitted licenses; establishing that a certain provision of law does not authorize the issuance of more licenses than the maximum number of licenses permitted in a certain county, the City of Annapolis, or Baltimore City; defining certain terms; and generally relating to the obtaining of a Class B beer license, Class B beer and wine license, or a Class

B beer, wine and liquor license by a business in which a parent company has a direct or indirect interest and that operates using a trademark used in connection with restaurant services.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–102(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–102(a–2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 768 – Delegate Niemann**

AN ACT concerning

#### **Vehicle Laws – Junk and Abandoned Vehicles – Penalties for Violations**

FOR the purpose of altering the criminal penalties for advertising for the purchase, towing, or removal of junk or abandoned vehicles without an automotive dismantler and recycler or scrap processor license; altering the criminal penalties for and applying certain administrative penalties to violations of certain standards and procedures governing the disposition of certain vehicles to an automotive dismantler and recycler or scrap processor when the vehicle's certificate of title is defective, lost, or destroyed; and generally relating to penalties for violations related to the disposal of junk or abandoned vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 15–109, 15–502, 25–209, 25–210, and 27–101(a), (b), and (c)(10)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–514 and 27–101(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 769 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Coverage – Victims of Domestic Violence**

FOR the purpose of providing that certain information provided to the Secretary of Labor, Licensing, and Regulation related to whether a claimant for unemployment insurance left employment as a result of domestic violence is confidential and not subject to disclosure except under certain circumstances; authorizing the Secretary to notify an employing unit in general terms that a claimant has left employment as a result of domestic violence; prohibiting the Secretary from disclosing certain information to an employing unit unless the employing unit provides certain information; requiring the Secretary to take certain action before disclosing certain information to an employing unit; prohibiting an employing unit from disseminating certain information; specifying that certain information related to the status of a claimant or a claimant's immediate family member as a victim of domestic violence is not public information subject to certain disclosure; authorizing the Secretary to adopt certain regulations; prohibiting the Secretary from charging certain unemployment insurance benefits against the earned rating record of an employing unit; authorizing the Secretary to find that a cause of voluntarily leaving employment is good cause if it is directly attributable to the individual or individual's immediate family member being a victim of domestic violence and the individual has a certain reasonable belief and provides certain information; providing for the application of this Act; and generally relating to unemployment insurance coverage for victims of domestic violence.

BY adding to

Article – Labor and Employment

Section 8–105.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–611(e) and 8–1001

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 770 – Delegate Davis**

EMERGENCY BILL

AN ACT concerning

**Public Service Commission – Electric Companies – New Generation Facilities  
and Customer Credits**

FOR the purpose of providing that the Public Service Commission may not require a certain electric company to construct, acquire, or lease, and operate, its own generating facilities and certain transmission facilities; providing that if a certain party to a merger or acquisition of an electric company or an affiliate of an electric company is required to distribute a credit to certain customers under an agreement with the Commission, the party or electric company may not pay the credit directly to the customers but shall deposit the amount of the credit in the electric universal service program fund to be disbursed in a certain manner; providing for the application of certain provisions of this Act; making this Act an emergency measure; and generally relating to new electric generating facilities and electric customer credits.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–510(c)(6)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–512.1(e) and (f)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Public Utilities

Section 7–512.1(g)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 771 – Delegate Davis**

AN ACT concerning

**Electric Companies and Gas Companies – Customer Accounts and  
Information**

FOR the purpose of requiring an electric company, a gas company, or an electric and gas company, on a certain request by a certain competitive supplier of electricity or gas, to provide certain information related to certain customer accounts to

the supplier, subject to certain restrictions; requiring the distribution utility to provide the information in a certain form and to update it periodically; prohibiting a distribution utility from providing certain information without the prior authorization of a certain customer; providing the method by which a distribution utility must obtain the customer's authorization, including requiring certain notice to be provided containing certain information; requiring the notice to be provided to certain customers at certain times; establishing when a customer is deemed to have given certain authorization; authorizing a customer to withdraw authorization in a certain manner; requiring a distribution utility to ensure that certain information is not shared under certain circumstances; requiring a distribution utility to notify a certain competitive supplier that a certain customer has withdrawn certain authorization; requiring a competitive supplier to redact certain information from its records under certain circumstances and refrain from contacting a certain customer in a certain manner under certain circumstances; requiring the Public Service Commission to allow a distribution utility to recover certain costs directly from a competitive supplier; providing that a competitive supplier may use certain information only for a certain purpose; prohibiting a competitive supplier from selling or providing certain information to any other person, with a certain exception; authorizing a competitive supplier to provide certain information to an authorized agent for a certain purpose; providing that the authorized agent is subject to the same restrictions on the use, sale, or provision of the information as the competitive supplier; requiring a certain competitive supplier to include certain information in certain marketing materials sent to certain customers; prohibiting a competitive supplier from transferring a certain customer account without certain authorization; requiring a competitive supplier to retain certain information for a certain purpose; requiring the Commission to adopt certain orders or regulations in consultation with the Office of the Attorney General; providing that a violation of this Act is an unfair or deceptive trade practice that is subject to certain penalty and enforcement provisions; authorizing the coordination of certain enforcement efforts; providing for the application of this Act to certain gas suppliers under certain provisions of law; providing for the enforcement of this Act with respect to certain gas suppliers and gas customers; providing that this Act does not apply to an electric cooperative or a gas cooperative; defining certain terms; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to electricity, gas supply, and customer account information.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13–301(14)(xxvii)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

Section 13–301(14)(xxix)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Public Utilities  
Section 7–510.1 and 7–604(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 13–301(14)(xxvi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 280 and 281 of the Acts of the General Assembly of  
2011)

BY adding to

Article – Commercial Law  
Section 13–301(14)(xxviii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 280 and 281 of the Acts of the General Assembly of  
2011)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 772 – Delegate Waldstreicher**

AN ACT concerning

#### **Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts**

FOR the purpose of establishing certain requirements concerning allocation of principal and income for a distribution to a marital trust from an individual retirement account, qualified retirement plan account, or certain similar account or plan, or annuity; requiring a trustee of a marital trust to perform certain duties on request of a surviving spouse under certain circumstances; requiring a marital trust to increase receipts payable to a beneficiary under certain circumstances; requiring payment of income tax on receipts from a certain business entity to be charged in a certain manner; altering a certain definition; defining a certain term; and generally relating to the Maryland Uniform Principal and Income Act and certain payments to and from certain trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 15–516 and 15–527  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 773 – Delegate Waldstreicher**

AN ACT concerning

#### **Estates and Trusts – Allowance for Funeral Expenses**

FOR the purpose of defining the term “funeral expenses” for purposes of a certain allowance for payment from a decedent’s estate; altering the amount for funeral expenses that a court may allow for a small estate; making stylistic changes; providing for the application of this Act; and generally relating to an allowance for funeral expenses.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 8–106  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 774 – Delegate Waldstreicher**

AN ACT concerning

#### **Maryland General and Limited Power of Attorney Act**

FOR the purpose of specifying requirements to establish the legal sufficiency of certain statutory forms for a power of attorney; requiring certain coagents to act together unanimously unless otherwise provided in a power of attorney; providing for the designation of coagents in certain statutory forms for a power of attorney; altering certain provisions in certain statutory forms for a power of attorney relating to authority to create or change a beneficiary designation in certain retirement plans and to nominate a person for appointment as a guardian of property or a guardian of the person; and generally relating to the Maryland General and Limited Power of Attorney Act.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 17–101(a) and (g)

Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 17–108(d), 17–201, 17–202, and 17–203  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 775 – Delegates Braveboy, Gutierrez, Alston, Carr, Conaway, Gilchrist, Howard, Lee, Luedtke, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Simmons, Tarrant, V. Turner, Valentino–Smith, Walker, and Zucker**

AN ACT concerning

#### **Task Force to Study Redistricting in Maryland**

FOR the purpose of establishing a Task Force to Study Redistricting in Maryland; specifying the composition, powers, and duties of the Task Force; providing for the staffing of the Task Force; requiring the Task Force to report its findings and recommendations, including suggested constitutional and legislative changes, to the Governor and to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Redistricting in Maryland.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 776 – Chair, Judiciary Committee (By Request – Sexual Offender Advisory Board)**

AN ACT concerning

#### **Criminal Law – Sex Offenders – Statutory Sex Offense**

FOR the purpose of altering the age difference required between a victim and an offender for the crime of third degree sex offense; prohibiting certain persons from engaging in certain sexual acts with a person who is a certain age; providing for penalties for a violation of this Act; requiring a certain person convicted of engaging in certain sexual acts with a person who is a certain age to register on the State sex offender registry; requiring the Department of Public Safety and Correctional Services to maintain a certain nonpublic registry database for certain persons convicted of a certain crime; establishing the purpose of a certain registry database; establishing the term of registration for



certain nonpublic registrants; altering the duties of the Department for the registration of certain sex offenders; requiring a certain registrant to appear in person at a certain location at certain times and to provide certain information; making conforming changes; defining certain terms; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–307 and 3–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–308.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701 and 11–713  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–704.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 777 – Delegate Feldman**

AN ACT concerning

#### **Corporations and Associations – Limited Liability Act – Revisions**

FOR the purpose of establishing that certain statutory provisions relating to limited liability companies apply unless otherwise agreed on in the limited liability company's articles of organization, in the operating agreement, or by unanimous

consent; repealing the requirement that the purposes for which a limited liability company is formed be set forth in the articles of organization; altering the requirements for a certain resident agent; authorizing the conversion of a partnership to a limited liability company to be abandoned by a certain vote or agreement; repealing provisions relating to a member's authority regarding abandoning the business; authorizing an operating agreement to contain procedures related to meetings and voting; prohibiting a member from taking certain actions without the consent of certain members holding at least a certain amount of the interest in profits of a limited liability company; prohibiting a member from taking certain actions without the unanimous consent of the members; authorizing a meeting of the members to be called by written request of certain members holding a certain amount of the interests in the profits of a limited liability company; authorizing members of a limited liability company to participate in a meeting by certain means of communication if certain requirements are met; authorizing electronic transmission of certain required notices, consents, or communications; authorizing a member to use certain means to authorize a certain person to act as a proxy; providing that a certain proxy is revocable under certain circumstances; clarifying certain standards governing the right to inspect and copy certain records; authorizing a limited liability company to keep certain information confidential for a certain time period, unless a certain agreement is executed; requiring a demand for certain protected information to be in writing and state the purpose of the demand; clarifying that only a certain economic interest may be assigned; clarifying that a certain assignment of an economic interest does not include the exercise of certain noneconomic interests; providing that assignment of all of a certain economic interest in a limited liability company forfeits certain noneconomic interests; providing that the pledge or grant of a security interest, lien, or encumbrance in or against a member's economic interest does not affect a member's noneconomic interest; authorizing a member to withdraw from a limited liability company prior to the dissolution and winding up of the limited liability company by giving a certain notice; authorizing the operating agreement to provide that a member may not withdraw or place certain limits on the ability of a member to withdraw; providing that assignment of all of a certain economic interest in a limited liability company causes a person to no longer be a member of the limited liability company; providing that a charging order applies to a certain economic interest of a certain debtor and only requires the limited liability company to pay to a certain creditor certain distributions; providing that a certain noneconomic interest of a certain debtor is not subject to a charging order; altering the circumstances under which a foreclosure of certain economic interests may be ordered; authorizing certain members to consent to the redemption of an economic interest with certain property before a foreclosure; repealing the requirement of unanimous consent for abandoning a certain proposed merger; providing that abandonment of a proposed merger requires the consent of certain members; making certain technical, stylistic, clarifying, and conforming changes; defining certain terms; and generally relating to limited liability companies.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1–101(t), 4A–101, 4A–102, 4A–203, 4A–204, 4A–209, 4A–210(a) and (c),  
4A–211, 4A–401 through 4A–403, 4A–405, 4A–406, 4A–502 through  
4A–505, 4A–601 through 4A–601.1, 4A–607, 4A–701, 4A–702, 4A–704  
through 4A–706, 4A–709(c), 4A–801, 4A–902, 4A–904, 4A–906, 4A–918,  
4A–1103, and 4A–1104

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 4A–802

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Corporations and Associations

Section 4A–403.1 and 4A–403.2

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 778 – Delegates McComas, Aumann, Bates, Boteler, Frank, Hogan,  
Kach, Kaiser, McDonough, W. Miller, Parrott, Ready, B. Robinson,  
Simmons, and Stocksdales**

AN ACT concerning

**Crimes – Manslaughter by Vehicle – Definition of “Operating”**

FOR the purpose of defining the term “operating”, for purposes of a certain provision of law stating the elements of the felony of manslaughter by vehicle, to include certain acts involving loading, unloading, or securing a load on a vehicle or attaching equipment to a vehicle and certain acts required by law of a person driving, operating, or controlling a vehicle; and generally relating to the felony of manslaughter by vehicle.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–209

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 779 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge**

FOR the purpose of establishing that the surcharge on wireless telecommunication services applies to prepaid service; establishing the amount of the prepaid wireless E 9–1–1 fee; allowing for the collection of the fee for the purpose of contributing to the 9–1–1 Trust Fund; authorizing certain proportions of the money collected from the fee to be used for certain purposes; providing that the fee shall be collected for certain transactions; authorizing a seller to deduct and retain certain percentages of the fee under certain circumstances; establishing certain procedures for the collection of the fee; authorizing a seller to demonstrate a certain exemption from the fee in a certain manner; authorizing the Comptroller to adopt certain regulations; establishing certain immunity provisions; establishing that certain procedures apply to this Act; prohibiting certain charges from being imposed; defining certain terms; making technical changes; and generally relating to 9–1–1 emergency telephone systems and the collection of fees to support the systems.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–301 through 1–303 and 1–308 through 1–311

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

BY adding to

Article – Public Safety

Section 1–313

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 780 – Delegates Nathan–Pulliam, Braveboy, Costa, Cullison, Donoghue, Glenn, Hubbard, Kach, A. Kelly, A. Miller, Murphy, Pena–Melnyk, Ready, Reznik, Tarrant, and Washington**

AN ACT concerning

**Multicultural Health Care Equity Certification and Accreditation – Work Group**

FOR the purpose of requiring the Maryland Health Care Commission to convene a Work Group on multicultural health care equity certification and accreditation to provide recommendations to strengthen cultural competency and health literacy training and assessments; providing for the membership of the Work Group; requiring the Work Group to develop certain criteria, standards, and programs and to make certain recommendations; requiring the Work Group to make a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Work Group on multicultural health care equity certification and accreditation.

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 781 – Delegates Carr, Arora, Bobo, Braveboy, Burns, Cullison, Glass, Gutierrez, Guzzone, Harrison, Kaiser, A. Kelly, Kipke, Kramer, Lee, Love, McComas, A. Miller, B. Robinson, S. Robinson, Schuh, Stukes, and F. Turner**

AN ACT concerning

**Electricity and Gas Suppliers – Residential Electricity Supply Contracts – Information and Customer Relations**

FOR the purpose of requiring electricity suppliers to include on certain marketing materials and a certain Web site a certain disclaimer under certain circumstances; requiring an electricity supplier to notify a certain customer in a certain manner of the amount of a certain rate in certain residential electricity supply contracts under certain circumstances; prohibiting automatic renewal clauses in certain residential electricity supply contracts except under certain circumstances; requiring a customer to evidence acceptance or rejection of the terms of an automatic renewal provision in a certain manner; authorizing a customer to refuse the renewal of a certain contract within a certain time period; prohibiting a residential supply contract from containing an early termination fee or penalty on cancellation of the contract unless the customer is given certain notice at a certain time; requiring a customer to acknowledge notice of the early termination fee or penalty on cancellation of the contract in a certain manner; providing that an early termination fee or penalty imposed under a residential supply contract must decrease in a certain manner over the contract term; requiring the Commission to include on its staff a certain position; providing for the application of a certain provision of this Act; defining certain terms; altering certain definitions; and generally relating to electricity and gas suppliers, residential electricity supply contracts, and residential customer account information.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 1–101(c), (j), and (n), 2–108(d), and 7–507  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 782 – Chair, Appropriations Committee (By Request –  
Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland for financing the projects; providing that certain bonds are not a debt or obligation of the State or any of its subdivisions; and generally relating to academic facilities bonding authority and projects.

Read the first time and referred to the Committee on Appropriations.

**House Bill 783 – Delegate Barnes**

AN ACT concerning

**Workers' Compensation – Washington Metropolitan Area Transit Authority  
Police – Occupational Disease Presumption**

FOR the purpose of extending the presumption of a compensable occupational disease under workers' compensation law to include paid police officers employed by the Washington Metropolitan Area Transit Authority who suffer from heart disease or hypertension resulting in partial or total disability or death under certain circumstances; requiring that workers' compensation benefits received under this Act are in addition to certain retirement benefits, subject to a certain adjustment; requiring certain paid police officers employed by the Washington Metropolitan Area Transit Authority to submit certain medical reports to the Washington Metropolitan Area Transit Authority on or before a certain date; making a technical change; and generally relating to compensability under workers' compensation law to include paid police officers employed by the Washington Metropolitan Area Transit Authority.

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 9–503(b) and (e) and 9–628(a)  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–628(f)(3) and (h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 784 – Delegates Ivey, Barnes, Braveboy, Frush, Gaines, Glenn, Gutierrez, Healey, Holmes, Howard, Hubbard, Hucker, Murphy, Niemann, Oaks, Reznik, S. Robinson, Ross, Sophocleus, Summers, Tarrant, Valderrama, Vaughn, and Washington**

AN ACT concerning

**State Individual Income Tax – Millionaires’ Tax**

FOR the purpose of altering the State income tax rate for certain income of individuals; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; repealing an obsolete provision; providing for the application of this Act; and generally relating to the State individual income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 785 – Delegate Clagett**

AN ACT concerning

**Sales and Use Tax – Exemption – Construction Materials and Equipment**

FOR the purpose of exempting from the sales and use tax certain sales of certain materials and equipment to be used for certain purposes; requiring the Comptroller and the Board of Public Works to adopt certain regulations relating to a certain exemption from the sales and use tax; limiting a certain exemption from the sales and use tax in relation to a certain amount of State income derived from certain jobs; and generally relating to a sales and use tax exemption for certain materials and equipment to be used for certain purposes.

BY adding to

Article – Tax – General  
Section 11–232  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 786 – Delegates Olszewski, Frick, Arora, and Clagett**

AN ACT concerning

**Financial Institutions – Credit Unions and Depository Institutions –  
Authority to Conduct Savings Promotion Raffles**

FOR the purpose of repealing a certain contingency on certain provisions of law that authorize certain depository institutions and credit unions to conduct certain savings promotion raffles; altering the circumstances under which certain depository institutions may conduct certain savings promotion raffles; clarifying language; and generally relating to the conduct of savings promotion raffles by financial institutions.

BY repealing

Chapter 627 of the Acts of the General Assembly of 2010  
Section 2

BY repealing and reenacting, with amendments,

Chapter 627 of the Acts of the General Assembly of 2010  
Section 3

BY repealing

Chapter 628 of the Acts of the General Assembly of 2010  
Section 2

BY repealing and reenacting, with amendments,

Chapter 628 of the Acts of the General Assembly of 2010  
Section 3

BY repealing and reenacting, without amendments,

Article – Commercial Law  
Section 13–305(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of  
2010)

BY repealing and reenacting, with amendments,



Article – Criminal Law

Section 12–106(c)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 1–211

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, without amendments,

Article – Financial Institutions

Section 6–716

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 787 – Frederick County Delegation**

AN ACT concerning

### **Frederick County – Alcoholic Beverages – Licensed Restaurants – Removal of Tables and Chairs for Expanded Occupancy**

FOR the purpose of authorizing in Frederick County a restaurant for which a Class B beer, wine and liquor license is issued to remove its tables and chairs to accommodate additional patrons at a certain number of special events in a year; requiring that a restaurant that removes its tables and chairs give notice to the Board of License Commissioners not less than a certain time before the event; requiring the removed tables and chairs to be stored in a certain manner; prohibiting a restaurant from allowing entry to more than the maximum number of occupants that the County Fire Marshal allows; and generally relating to restaurants for which an alcoholic beverages license is issued in Frederick County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(a)(1) and (l)(1) and (2)(iii)

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–201(l)(2)(iv)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 788 – Delegate Clagett**

AN ACT concerning

**Creation of a State Debt – Frederick County – Downtown Frederick Hotel  
and Conference Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 789 – Delegates McComas, Bates, Dwyer, Elliott, Howard, Kach,  
Krebs, B. Robinson, and Stocksdale**

AN ACT concerning

**Property Tax – Assessment Worksheets – Internet Access**

FOR the purpose of requiring the State Department of Assessments and Taxation to maintain a database, available to the public on the Department's Web site, of assessment worksheets and cards that relate to the valuation of real property in the State; providing that assessment worksheets and cards may not include certain statements; and generally relating to a database, accessible to the public, of real property assessment worksheets and cards.

BY adding to

Article – Tax – Property  
Section 14–201(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 790 – Delegate Mizeur**

AN ACT concerning

**Income Tax – Subtraction Modification – Segal AmeriCorps Education Award**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain education awards from the AmeriCorps program; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain education awards.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 791 – Delegates Summers and George**

AN ACT concerning

**Election Law – Declaration of Intent – Establishment of Campaign Finance Entity**

FOR the purpose of prohibiting an individual from filing a certain declaration of intent until the individual establishes a campaign finance entity; and generally relating to requiring the establishment of a campaign finance entity at the time of filing a declaration of intent.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 5–703 and 5–703.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 792 – Delegates Ready, Afzali, Dwyer, Elliott, Fisher, Frank, Glass, Hershey, Hough, Jacobs, Kipke, Krebs, McComas, Reznik, Stocksdale, and Szeliga**

AN ACT concerning

**Health – Medical Assistance Programs – Fraud and Abuse Prevention**

FOR the purpose of requiring the Department of Health and Mental Hygiene to implement certain prepayment systems and services to prevent fraud and abuse in the payment of claims for the Maryland Medical Assistance Program and the Maryland Children’s Health Program; requiring the Department to use certain information to refine and enhance a certain system; requiring the Department, under certain circumstances, to take certain action and allow certain entities to access certain information; declaring the intent of the General Assembly; defining a certain term; and generally relating to fraud and abuse prevention in medical assistance programs.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 15–1001 through 15–1005 to be under the new subtitle “Subtitle 10.  
Fraud and Abuse Prevention”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 793 – Delegates Ross, Gaines, and Healey**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Park Youth and Community Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Riverdale Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 794 – Delegates Waldstreicher, Vallario, Hough, and Valentino-Smith**

AN ACT concerning

**Criminal Procedure – Revision of Verdict or Judgment – Procedures**

FOR the purpose of establishing that in a criminal case, the court may not exercise revisory power and control over a judgment unless the court follows the procedures set forth in a certain Maryland Rule; establishing that, in a criminal case, the court may not exercise revisory power and control over a verdict unless the court follows the procedures set forth in a certain Maryland Rule; and generally relating to the court's revisory power and control over a verdict or judgment.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–408  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 6–408.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 795 – Delegates Rosenberg, Clippinger, Hammen, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Brooks Robinson Statue – Babe Ruth Birthplace Foundation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Babe Ruth Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 796 – Delegates Mizeur, Alston, Anderson, Dumais, Kaiser, Lee, McComas, Reznik, Stukes, F. Turner, and Valentino-Smith**

AN ACT concerning

**Bringing Maryland Families Together Act**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to establish a certain video visitation program under which a certain inmate may visit with certain persons via Internet video; requiring the Department to establish a certain approval process and guidelines for certain organizations to provide Internet video access to certain persons; authorizing the Department to establish a certain fee for participation in a certain video visitation program; authorizing a certain person under certain circumstances to apply for participation in a certain video visitation program; requiring certain information to be included in an application for participation in a certain video visitation program; providing for an approval process for a certain application to a certain video visitation program; requiring the Department to adopt certain regulations; establishing penalties for a certain violation of a condition of a video visitation program; defining a certain term; and generally relating to a video visitation program for inmates.

BY adding to

Article – Correctional Services

Section 10–1001 through 10–1005 to be under the new subtitle “Subtitle 10. Video Visitation Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 797 – Delegates Burns, Aumann, Boteler, Bromwell, Cluster, DeBoy, Frank, Kach, Lafferty, Minnick, Morhaim, Nathan-Pulliam, Stein, and Wood**

AN ACT concerning

**Baltimore County – Roadside Solicitation of Money or Donations –  
Prohibition**

FOR the purpose of prohibiting a person from standing in a highway in Baltimore County to solicit money or donations from the occupant of a vehicle, except under certain circumstances; prohibiting an adult from encouraging or allowing a child to stand in a highway in Baltimore County to solicit money or donations from the occupant of a vehicle; providing that a child may not be found guilty or adjudicated delinquent for standing in a highway in Baltimore County to solicit money or donations from the occupant of a vehicle if an adult encouraged or allowed the child to commit the violation; providing for the issuance of a certain warning to a first-time offender; providing a certain penalty for subsequent offenses; defining a certain term; and generally relating to restrictions on the use of highways in Baltimore County for solicitation of money or donations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21-507(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 798 – Delegates Vallario, Frush, Alston, Barnes, Braveboy,  
Hubbard, and Valentino-Smith**

AN ACT concerning

**Juvenile Offenders – Dual Sentencing**

FOR the purpose of authorizing a court exercising criminal jurisdiction in a certain prosecution involving a child to impose simultaneously a juvenile disposition and an adult criminal sentence; authorizing the court to order the child to complete the juvenile disposition and to suspend the adult criminal sentence under certain circumstances; authorizing the court to take certain actions if the child commits a new offense or violates a condition of the suspended adult criminal sentence; and generally relating to dual sentencing of juvenile offenders.

BY adding to  
Article – Criminal Procedure  
Section 4-202.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 799 – Delegates Summers, Ivey, and Niemann**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Elizabeth Seton High School Window Upgrades**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of Elizabeth Seton High School for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 800 – Delegates Proctor, Anderson, Conaway, Dumais, Gaines, Guzzone, Haynes, Howard, Hucker, Oaks, Pena–Melnyk, Reznik, B. Robinson, Rosenberg, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, Washington, and Wilson**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

FOR the purpose of prohibiting certain appointing authorities in the Judicial, Executive, and Legislative branches of State government from inquiring into the criminal record or criminal history of an applicant for employment until the applicant has been provided an opportunity for an interview; providing that this Act does not prohibit certain appointing authorities from notifying an applicant for employment of certain information; providing for certain exceptions; requiring the Department of Budget and Management to make certain reports to the General Assembly; providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; requiring the Department to take certain action under certain circumstances; providing for the termination of certain provisions of this Act; and generally relating to the conduct of criminal history records checks on applicants for employment in the Judicial, Executive, and Legislative branches of State government.

BY adding to

Article – State Personnel and Pensions

Section 2–203

Annotated Code of Maryland



(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 801 – Delegates Griffith, Bohanan, Clagett, Haynes, Proctor,  
B. Robinson, Sophocleus, and Zucker**

AN ACT concerning

**State Retirement and Pension System – Transfer of Members Between  
Systems**

FOR the purpose of providing that if an individual who was a member of one of the several systems in the State Retirement and Pension System on a certain date becomes a member of another one of the several systems on or after a certain date, the individual shall be considered to be a new member of the subsequent system as of a certain date, but is subject to certain requirements that were in place for the subsequent system on a certain date; providing for the application of this Act; and generally relating to the transfer of members between the State retirement and pension systems on or after a certain date.

BY adding to

Article – State Personnel and Pensions  
Section 23–215.2, 24–208, 25–207, and 26–207  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 802 – Prince George’s County Delegation**

AN ACT concerning

**Education – Prince George’s County School Board Budgets – Transparency  
PG 410–12**

FOR the purpose of requiring a certain Web site of the Prince George’s County Board of Education to include certain budget data; requiring the Web site to contain annual data and to be searchable based on individual schools; and generally relating to a searchable Web site of the Prince George’s County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education  
Section 5–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 803 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Board of Education – Operation of Schools –  
Year-Round Basis  
PG 405–12**

FOR the purpose of authorizing the Prince George’s County Board of Education to operate one or more schools within the county on a year-round basis under certain circumstances; and generally relating to the operation of one or more schools in Prince George’s County on a year-round basis.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 804 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Special Elections – Reduction of Polling Places  
PG 404–12**

FOR the purpose of authorizing the Prince George’s County Board of Elections to direct that a certain minimum number of polling places be open for voting in a special election for the Prince George’s County Council or the Prince George’s County Board of Education; requiring the board of elections to mail certain information to voters, facilitate absentee voting, and establish polling places during a certain period if the board exercises its authority under this Act; and generally relating to reducing the number of polling places in a special election for the county council or the board of education in Prince George’s County.

BY adding to  
Article – Election Law  
Section 8–402  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 805 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County Board of Education – Recycling Program – School  
Facilities  
PG 403–12**

FOR the purpose of requiring the Prince George’s County Board of Education to develop and implement a certain recycling program for all facilities under the jurisdiction of the county board; requiring the county board to address certain issues while developing a certain recycling program; requiring the county board to submit a certain report including certain information to the Prince George’s County Delegation to the General Assembly on or before a certain date regarding a certain recycling program; defining certain terms; and generally relating to a recycling program in school facilities in Prince George’s County.

BY adding to

Article – Education

Section 4–127

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 806 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Investment Division – Salary Setting**

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to determine the qualifications, appointment, and compensation for certain employees in the Investment Division of the State Retirement Agency; specifying the positions to which the authority applies; prohibiting the Board of Trustees from setting the salary of an employee above a certain amount; prohibiting the Board of Trustees from granting bonuses under certain authority; prohibiting the Board of Trustees from increasing the salary of certain employees by more than a certain amount in a fiscal year; requiring the State Retirement Agency to submit a certain report concerning salaries in the Investment Division; providing for the termination of this Act; and generally relating to the State Retirement Agency.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–122(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 807 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Contribution Rates and  
Reinvestment of Savings – Technical Clarifications**

FOR the purpose of clarifying how certain contribution rates for the employees' and teachers' retirement and pension systems are calculated to reflect legislative changes that result in a change to normal cost or accrued liabilities; repealing a certain requirement that the Board of Trustees for the State Retirement and Pension System certify a calculation of the difference between certain contributions, resulting from certain legislative changes; altering the method for determining a certain amount of reinvested savings required to be included in the annual budget bill; altering certain definitions; defining certain terms; and generally relating to technical clarifications in connection with the determination of certain pension contribution rates and certain requirements to reinvest savings into the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304(a), (e), and (f) and 21–308(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 808 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension Systems – Cost-of-Living Adjustments –  
Clarification**

FOR the purpose of clarifying that each type of cost-of-living adjustment to allowances provided by State retirement and pension systems does not apply to benefits paid in a single payment, the return of accumulated contributions, or benefits attributable to additional contributions; clarifying how cost-of-living adjustments are calculated; clarifying that a cost-of-living adjustment in a certain zero-adjustment fiscal year does not apply to a retiree's or former member's first cost-of-living adjustment; clarifying when certain cost-of-living adjustments begin; clarifying that certain retirees may not receive less than

their initial allowance; altering a certain definition; defining a certain term; making technical and conforming changes; and generally relating to cost-of-living adjustments to allowances provided by State retirement and pension systems.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–401, 29–402, 29–404, 29–406, 29–407, 29–410, 29–412, 29–413,  
29–416, 29–418, 29–421, 29–427, and 29–432

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–402

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 29–405, 29–411, 29–417, 29–422, 29–425, 29–426, 29–430, and 29–431

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 809 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Deer Hunting on Private Property – Sundays PG 304–12**

FOR the purpose of authorizing a person in Prince George’s County to hunt deer on certain Sundays on private property during certain deer hunting seasons; removing Prince George’s County from the list of counties in which deer hunting on private property on certain Sundays is prohibited; and generally relating to deer hunting on private property in Prince George’s County on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 810 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Volunteer Fire Departments – Poker Events  
PG 303–12**

FOR the purpose of authorizing certain volunteer fire departments in Prince George’s County to hold poker events in which the public may play poker card games; limiting the number of poker events that a volunteer fire department may hold; requiring that a volunteer fire department obtain a permit from the Prince George’s County Department of Environmental Resources before holding a poker event; limiting the days on which poker events may be held; specifying a certain requirement that a volunteer fire department must meet to qualify for a permit; specifying that the Department may issue permits under certain circumstances; specifying the period for which a permit is valid; allowing a permit to be renewed under certain circumstances; specifying that the conditions under which a permit for a poker event is issued shall be the same with certain exceptions that apply to a charitable gaming event permit under the Prince George’s County Code; and generally relating to volunteer fire departments and poker events in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1902(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1912  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 811 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Poker Events  
PG 305–12**

FOR the purpose of authorizing certain volunteer fire departments and certain organizations that promote the arts and preserve the culture in Prince George’s County to hold events in which the public may play poker card games; limiting the number of poker events that may be held; requiring that a permit be

obtained from the Prince George's County Department of Environmental Resources before a poker event may be held; specifying certain requirements that an applicant must meet to qualify for a permit; specifying the contents of an application for a permit; authorizing the Department to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for individuals who are to participate in the management or operation of a poker event; specifying certain items that are to be part of the application; requiring the Central Repository to forward criminal history record information to certain persons; specifying how criminal history record information may be used; allowing certain individuals to work as volunteers at a poker event; specifying grounds for the denial of an application for a permit or the suspension or denial of a permit; requiring that a certain worker have government-issued photographic identification; allowing certain individuals to prepare quarterly and annual financial reports; requiring a permit holder to maintain a certain bank account for a certain purpose; requiring that certain documents be maintained for a certain number of years; requiring a permit holder to file certain reports with the Department; providing a certain fee to be charged for failure to meet a certain filing deadline; requiring the president of the permit holder to be responsible for filing certain reports under certain circumstances; specifying the purposes for which proceeds from a poker event may be used; prohibiting proceeds to be used for certain purposes; requiring a permit holder to maintain details of use of proceeds disbursements for at least a certain number of years; specifying that the Department may issue permits under certain circumstances; specifying the period for which a permit is valid; allowing a permit to be renewed under certain circumstances; specifying that the conditions under which a permit for a poker event is issued shall be the same with certain exceptions that apply to a charitable gaming event permit under the Prince George's County Code; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to poker events in Prince George's County.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 13–1902(a) and 13–1912(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 13–1912(b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law  
Section 13–1913

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 812 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Real Property – Dwellings Rented to Individuals at  
Least 55 Years Old – Residential Leases  
PG 413–12**

FOR the purpose of requiring, in Prince George’s County, a landlord of certain residential dwelling structures, offered for rent to individuals at least a certain age and constructed or improved on or after a certain date with money received from the State on or after a certain date, to offer a 36–month residential lease; requiring the 36–month residential lease to be offered to certain lessees; and generally relating to lease terms for certain residential dwellings in Prince George’s County.

BY adding to

Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 813 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Hyattsville – Arts and Entertainment District –  
Licensed Alcoholic Beverages Establishments – Distance from Churches  
PG 308–12**

FOR the purpose of altering the minimum distance required between a licensed alcoholic beverages establishment and a church in the part of the Gateway Arts and Entertainment District located in the City of Hyattsville; specifying the manner in which the distance between a licensed establishment and a church is to be measured; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–217(e)(1)



Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 814 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licensee – Retail Delivery to  
Consumer – Prohibition  
PG 301–12**

FOR the purpose of prohibiting an alcoholic beverages licensee in Prince George’s County from making an off–site retail delivery of alcoholic beverages to the residence of a consumer; and generally prohibiting the delivery of alcoholic beverages to the residence of a consumer in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–301  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 815 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Foreclosed Property Registry  
PG 412–12**

FOR the purpose of authorizing Prince George’s County to enact a local law establishing a foreclosed property registry for certain property located in the county; requiring a local law enacted under this Act to require a certain successor in interest to register certain foreclosed residential property, to pay a certain registration fee, and to be responsible for the maintenance and security of the foreclosed property; requiring a local law enacted under this Act to require a successor in interest to provide certain information about the property; requiring the county to establish a special fund for the deposit of registration fees to be used for certain purposes; requiring a local law enacted under this Act to require a certain successor in interest who transfers title to or rents a foreclosed property to notify the county; requiring the county to delete the property from the registry under certain circumstances; requiring a local law enacted under this Act to subject a successor in interest to a certain civil penalty for failing to maintain and secure foreclosed property; requiring a local

law enacted under this Act to subject a successor in interest to a certain civil penalty for failing to register a foreclosed property; defining certain terms; and generally relating to the authority of Prince George's County to enact a local law establishing a foreclosed property registry.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 7–105.1(a)(1) and (9)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 14–126(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 816 – Prince George's County Delegation**

AN ACT concerning

#### **State Lottery – Licenses – Prince George's County Veterans' Organizations PG 306–12**

FOR the purpose of authorizing the Director of the State Lottery Agency to issue to certain veterans' organizations in Prince George's County a license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; requiring a veterans' organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans' organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans' organizations to the Maryland Veterans Trust Fund; requiring a veterans' organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans' organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery Agency to implement the provisions of this Act in accordance with a certain court decision; and generally relating to the State lottery and certain lottery machine ticket sales by veterans' organizations.

BY repealing and reenacting, with amendments,  
Article – State Government

Section 9–112, 9–120(b), and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–120(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 817 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – City of Bowie – Alcoholic Beverages Licenses for Supermarkets PG 307–12**

FOR the purpose of altering the maximum number of licenses of a certain class of alcoholic beverages license that may be issued in Prince George’s County; authorizing the Prince George’s County Board of License Commissioners to issue a Class D beer and light wine license with an off–sale privilege for use by a supermarket or similar type of premises in the City of Bowie under certain circumstances; prohibiting the Board of License Commissioners from issuing a Class D beer and light wine license with an off–sale privilege for use by a certain type of business; and generally relating to the issuance of a Class D beer and light wine license with an off–sale privilege within the corporate limits of the City of Bowie.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(b) and (h)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 818 – Delegates Stocksdales, McComas, McDonough, and  
B. Robinson**

AN ACT concerning

**Crimes – Rioting – Restrictions on Public Benefits**

FOR the purpose of restricting eligibility for certain public benefits for individuals convicted of certain crimes relating to rioting on or after a certain date; revoking certain public benefits for individuals convicted of certain crimes relating to rioting on or after a certain date; creating certain exceptions; defining certain terms; and generally relating to the eligibility for and receipt of public benefits.

BY adding to

Article – State Government

Section 10–1301 and 10–1302 to be under the new subtitle “Subtitle 13.  
Restrictions on Public Benefits”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 819 – Delegates W. Miller, Afzali, Aumann, Barkley, Barve, Bates, Bobo, Boteler, Burns, Cluster, Davis, DeBoy, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frank, George, Haddaway–Riccio, Hershey, Hough, Hucker, Impallaria, Jacobs, Jameson, Kach, Kipke, Krebs, Love, McComas, McConkey, McDermott, McDonough, Minnick, Myers, Norman, O’Donnell, Otto, Ready, Rosenberg, Rudolph, Schuh, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Valentino–Smith, and Vitale**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Office of the Inspector General – Establishment**

FOR the purpose of establishing the office of the Inspector General; providing for the term of the office; specifying eligibility qualifications that an individual must meet for the office; requiring that the Inspector General receive a certain salary; specifying the term of office; providing that an individual who has served as Inspector General for a certain number of terms is ineligible for reelection for a certain period; providing that the Inspector General is subject to removal by the General Assembly under certain circumstances; authorizing the General Assembly to provide by law for the impeachment of the Inspector General; requiring that a certain process for impeachment be consistent with a certain provision of the Maryland Constitution; specifying the method to be used for filling a vacancy in the office of Inspector General; prohibiting an individual who has held the office of Inspector General from being a candidate in a certain election for a certain time period after leaving office; specifying the duties and

powers of the Inspector General; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

New Article XX – Inspector General

Section 1 through 6

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 820 – Delegates W. Miller, Afzali, Aumann, Barkley, Barve, Bates, Bobo, Boteler, Burns, Cluster, Davis, DeBoy, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frank, George, Haddaway–Riccio, Hershey, Hough, Hucker, Impallaria, Jacobs, Jameson, Kach, Kipke, Krebs, Love, McComas, McConkey, McDermott, McDonough, Minnick, Myers, Norman, O’Donnell, Otto, Ready, Rosenberg, Rudolph, Schuh, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Valentino–Smith, and Vitale**

AN ACT concerning

### **State Government – Inspector General**

FOR the purpose of specifying that there is an Inspector General of the State; specifying the Inspector General’s annual salary; providing that the Inspector General is entitled to certain reimbursement; establishing the Office of the Inspector General; authorizing the Inspector General to have certain offices and employ certain staff; requiring certain staff to perform certain duties and to carry certain identification; specifying that certain staff serve at the pleasure of the Inspector General and are entitled to certain compensation and reimbursement; authorizing the Inspector General to designate a certain Chief Deputy Inspector General and certain other deputy inspectors general; requiring the Chief Deputy Inspector General to serve as acting Inspector General for a certain period under certain circumstances; authorizing the Inspector General to adopt certain regulations and assist in a certain investigation or conduct a joint investigation with certain entities; requiring the Inspector General to develop a certain operations manual, make the operations manual available to the public, and provide certain training; requiring the Inspector General to examine and investigate the management and affairs of units and conduct audits of the units; authorizing the Inspector General to investigate certain matters; requiring the Inspector General periodically to review certain policies and procedures and make certain recommendations; requiring the Inspector General to receive certain complaints and establish a certain hotline number and Web site; requiring the Inspector General to take certain action when the Inspector General receives a complaint or discovers certain evidence; requiring that a unit cooperate fully with the Inspector General under certain circumstances; requiring that the Inspector General have access to certain documents of a unit under certain circumstances; authorizing

the Inspector General, or the Inspector General's designee, to take certain action in the performance of certain duties; specifying the process under which the Inspector General is authorized to issue a subpoena or subpoena duces tecum; authorizing a subpoena to be served by certain methods; authorizing a certain judge to take certain action if a person refuses to obey a certain subpoena; providing that, under certain circumstances, certain records are confidential and not subject to disclosure under a certain provision of law until a certain report is issued; requiring the Inspector General, at the end of each fiscal year, to submit a certain annual report to the Governor and the General Assembly; requiring the Inspector General to issue a certain final report; requiring that the final report be submitted to the Governor and the General Assembly and be posted on a certain Web site; requiring that the Inspector General, except under certain circumstances, provide a certain unit an opportunity to respond to a certain report; authorizing certain special elections be held to fill a certain vacancy; requiring that certain special elections be held at a time specified in a certain provision of this Act; requiring the State Board of Elections to determine the dates that certain elections are to be held; requiring that a certain primary election be held at least a certain number of days after a certain vacancy occurs; requiring that a certain general election be held at least a certain number of days after a certain primary election is held; making this Act contingent on the passage and ratification of a certain constitutional amendment; defining certain terms; and generally relating to the Inspector General.

BY adding to

Article – State Government

Section 7.5–101 through 7.5–112 to be under the new title “Title 7.5. Inspector General”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 8–401

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 8–402

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 821 – Delegate Cluster**

AN ACT concerning

**Criminal Procedure – Parole – Eligibility**

FOR the purpose of increasing the minimum period that an inmate must be sentenced to serve before becoming eligible to be considered for an investigation by the Division of Parole and Probation or the Division of Correction to enable the Maryland Parole Commission to determine the advisability of granting parole to the inmate; and generally relating to the parole of inmates.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–301(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 822 – Delegate Waldstreicher**

AN ACT concerning

**Maryland Uniform Transfers to Minors Act – Orphans’ Court**

FOR the purpose of altering the definition of the term “court” to include an orphans’ court or a court exercising the jurisdiction of an orphans’ court for the purposes of the Maryland Uniform Transfers to Minors Act; and generally relating to the Maryland Uniform Transfers to Minors Act.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 13–301(a), 13–306, 13–309, 13–312(a), 13–314(c) and (d), 13–318(d) and (f), 13–319, and 3–324  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–301(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 823 – Delegate Waldstreicher**

AN ACT concerning

**Orphans' Court – Minor – Guardianship of the Person**

FOR the purpose of altering the authority of an orphans' court to exercise jurisdiction over guardianship of the person of a minor by repealing a certain requirement that the presiding judge of the orphans' court be a member of the Bar of Maryland; providing that an orphans' court may exercise jurisdiction over guardianship of the person of a minor in uncontested matters; providing for the application of this Act; and generally relating to the jurisdiction of an orphans' court over guardianship of the person of a minor.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–105  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)**

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Physicians and certain allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board and the committees; altering to a certain date the termination provision related to the Perfusion Advisory Committee; prohibiting an individual from being appointed to the Board or an allied health advisory committee under certain circumstances; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; specifying that the application for the warrant must meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; specifying that a certain search warrant must include certain information and be executed and returned to a certain person within a certain period of time; authorizing the Board to waive, under certain circumstances, certain training required for licensure; codifying the requirement that the Board provide certain individuals an opportunity to appear before the Board under certain circumstances; requiring the Board to



disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring that physician license profiles include a summary of charges filed against the physician and a copy of the charging document under certain circumstances; requiring that license profiles include a certain disclaimer; requiring the Board to include certain information on a license profile within a certain time period; specifying that a certain report that certain entities are required to file with the Board include certain information; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; specifying that a certain court reporting requirement is to be enforced by the imposition of a certain fine by a circuit court of the State; requiring the chairs of certain committees to serve in an advisory capacity to the Board, report to the Board a certain number of times a year, and present to the Board certain annual reports; requiring certain committees to submit an annual report to the Board; requiring the Board to consider all recommendations of certain committees, provide a certain explanation to the committees under certain circumstances, and provide a certain report to the committees a certain number of times each year; requiring the Board to create and maintain a certain profile on certain licensees; requiring the profiles to contain certain information; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to maintain certain profiles on the Board's Web site; requiring the Board to provide a mechanism for correcting errors in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; defining certain terms related to the practice of athletic training in the State; altering a certain definition related to the practice of athletic training in the State; authorizing an athletic trainer to accept an outside referral from certain individuals under certain circumstances; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board and the Department of Health and Mental Hygiene to develop and implement a certain strategy on or before a certain date; requiring the Board to assess certain practices and submit a certain long-term fiscal plan to the Department of Legislative Services on or before a certain date; requiring the Board to develop and implement a certain recruitment plan on or before a certain date; requiring the Board to amend the Board's regulations to reflect the procedures of the Board on or before a certain date; requiring certain entities to determine the appropriate entity to investigate and enforce certain provisions of law on or before a certain date; requiring the Board, in consultation with certain persons, to adopt certain regulations on or before a certain date; requiring the Board to issue a license to an individual under a certain provision of law under certain circumstances; requiring the Board to submit a certain report to the Department of Legislative Services on or before a certain date; requiring the Department of Legislative Services to make certain recommendations to certain committees of the General Assembly on or before a certain date; providing for the effective date of certain provisions of this Act;

and generally relating to the State Board of Physicians and the related allied health advisory committees.

BY adding to

Article – Health Occupations

Section 14–202(l), 14–206.1, 14–401(l), 14–416, 14–5A–06(e), 14–5A–18.1, 14–5B–05(f), 14–5B–15.1, 14–5C–06(d) and (e), 14–5C–18.1, 14–5D–05(f), 14–5D–16.1, 15–202(f), and 15–316.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–206(d)(1), 14–307(d) and (g), 14–411(i), 14–411.1(b), (c)(2), and (f), 14–413, 14–414, 14–5A–06(d), 14–5A–07, 14–5A–25, 14–5B–05(c), 14–5B–06, 14–5B–21, 14–5C–07, 14–5C–25, 14–5D–01, 14–5D–05(e), 14–5D–06, 14–5D–11, 14–5D–20, 14–702, 15–202(e), 15–205, and 15–502

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health Occupations

Section 15–310(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5E–06(d), 14–5E–07, and 14–5E–25

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

BY adding to

Article – Health Occupations

Section 14–5E–06(e) and 14–5E–18.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 825 – Delegate Malone**

AN ACT concerning

**Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities**

FOR the purpose of authorizing an individual to possess a certain number of certain special registration plates for individuals with disabilities for certain motorcycles in addition to the special registration plate and parking placards authorized under certain provisions of law; and generally relating to special registration plates and parking placards for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(c) and 13–616.1(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 826 – Delegates K. Kelly and Bromwell**

AN ACT concerning

**Sales and Use Tax – Taxable Price – Mandatory Gratuity**

FOR the purpose of altering a certain exclusion from the definition of “taxable price” under the sales and use tax for certain mandatory gratuities or service charges for serving food or beverage for consumption on the premises of the vendor; and generally relating to the sales and use taxation of certain mandatory gratuities and service charges.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(l)(3)(i)4.  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 827 – Delegate Hubbard**

AN ACT concerning

**Polysomnographic Technologists – Education and Examination Requirements**

FOR the purpose of altering the education requirements for a license to practice polysomnography; requiring the State Board of Physicians to waive certain education requirements for a license to practice polysomnography if, in addition

to meeting certain other requirements, an applicant has a passed a certain examination on or before a certain date; and generally relating to education and examination requirements for polysomnographic technologists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–09 and 14–5C–10  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 828 – Delegate Hixson**

EMERGENCY BILL

AN ACT concerning

**State Government – Commemorative Days – Saint David’s Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Saint David’s Day; making this Act an emergency measure; and generally relating to commemorative days.

BY adding to  
Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 829 – Delegates Dumais, Feldman, and A. Miller**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Potomac Community Resources Home**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Potomac Community Resources, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 830 – Delegates Hixson, Hucker, and Mizeur**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County –  
Old Blair High School Auditorium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided; requiring the Board of Public Works to expend or encumber the proceeds of the loan by June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA01(AR) and Item ZA02(AV)

Read the first time and referred to the Committee on Appropriations.

**House Bill 831 – Delegates Bates, Glass, Hough, Kipke, McDonough, Schuh, Smigiel, Stocksdale, and Szeliga**

AN ACT concerning

**Education – Public Schools – Parent Trigger**

FOR the purpose of authorizing certain parents and legal guardians of students attending public schools that are subject to corrective action and are not making adequate yearly progress to petition county boards of education to implement certain interventions; requiring county boards to notify the State Superintendent of Schools and the State Board of Education on receipt of certain petitions and of the final dispositions regarding the petitions; requiring county boards to make certain determinations in a certain manner within a certain time frame; requiring county boards to designate interventions other than the options requested by certain petitions under certain circumstances; requiring county boards to notify the State Superintendent and the State Board that certain interventions have substantial promise of enabling certain schools

to make adequate yearly progress; requiring certain students to have the option of receiving a certain scholarship in a certain amount for a certain time period; requiring certain funds to be calculated in a certain manner; requiring certain counties to include certain students in their full-time equivalent enrollment; requiring the State Board to adopt certain regulations; prohibiting the expansion of certain regulatory authority regarding certain private schools; defining certain terms; and generally relating to authorizing parents of students attending public schools that are subject to corrective action to petition county boards of education for an intervention.

BY adding to

Article – Education

Section 9.5–101 through 9.5–107 to be under the new title “Title 9.5. Parent Empowerment and Choice”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 832 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Substance–Exposed Infants – Mandated Reporters**

FOR the purpose of adding certain reporting requirements for health care providers involved in the delivery or care of infants born with and identified as being affected by certain symptoms under certain circumstances; and generally relating to reporting requirements for health care providers.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–704

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 833 – Delegates Reznik, Cullison, Donoghue, and Kach**

AN ACT concerning

**Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions**

FOR the purpose of providing that a licensed respiratory care practitioner has the right to practice respiratory care within the scope of practice of the respiratory care practitioner's license, including practicing respiratory care in a sleep laboratory; providing that the licensing requirements to practice polysomnography do not apply to a certain respiratory care practitioner licensed by the State Board of Physicians on or before a certain date; and generally relating to licensing exceptions to the practice of polysomnography by respiratory care practitioners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–02 and 14–5C–08  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Child Abuse and Neglect – Child Welfare – Alternative Response**

FOR the purpose of authorizing the Secretary of Human Resources to establish an alternative response program for certain reports of child abuse or neglect; requiring the Department to establish an advisory council to participate in the development of the alternative response implementation plan; prohibiting certain reports of child abuse or neglect from being assigned for an alternative response; authorizing certain reports assigned for an alternative response to be reassigned for an immediate investigation based on certain factors; authorizing certain reports assigned for an investigation to be reassigned for an alternative response based on certain factors; requiring a local department to take certain actions following a report assigned for an alternative response; providing for the confidentiality and maintenance of certain records; requiring the Social Services Administration of the Department to develop a certain data collection process; requiring the Department to submit a certain assessment and recommendations to the General Assembly; defining a certain term; and generally relating to alternative response plans with respect to reports of child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–706  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 835 – Delegate Barnes**

AN ACT concerning

**Workers’ Compensation – Permanent Partial Disability Benefits –  
Washington Metropolitan Area Transit Authority**

FOR the purpose of altering a certain definition of “public safety employee” so as to apply a certain workers’ compensation provision relating to permanent partial disability benefits to police officers employed by the Washington Metropolitan Area Transit Authority; and generally relating to permanent partial disability benefits provided under workers’ compensation.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–628  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 836 – Delegates Healey, Branch, Gaines, Hixson, Howard, Ivey,  
Kaiser, Rosenberg, Ross, Stukes, Summers, Tarrant, F. Turner,  
V. Turner, and Walker**

AN ACT concerning

**Income Tax – Repeal of the 1997 Tax Reduction**

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the maximum county income tax rate a county may impose; altering the amount that must be withheld from certain payments; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; repealing obsolete provisions; providing for the application of this Act; and generally relating to altering the State and county income tax rates.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a), 10–106(a)(1), and 10–908(e) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.



**House Bill 837 – Delegate Malone**

AN ACT concerning

**Vehicle Laws – Distracted Driving – Animals**

FOR the purpose of prohibiting a person from driving a vehicle if there is an animal or animal activity in the front seat of the vehicle that obstructs the view of the driver in a certain manner or interferes with the control of the driver over the driving mechanism of the vehicle; and generally relating to distracted driving caused by an animal or animal activity.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21-1104

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 838 – Delegate Kipke**

AN ACT concerning

**Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists**

FOR the purpose of altering certain requirements a pharmacy benefits manager must comply with when conducting an audit of a pharmacy or pharmacist; prohibiting a pharmacy benefits manager from disrupting the provision of services to the customers of a pharmacy during an audit; prohibiting a pharmacy benefits manager from taking certain actions relating to an audit of a pharmacy or pharmacist; prohibiting a pharmacy benefits manager from recouping by setoff certain money until certain conditions are fulfilled; providing for a certain appeal, under certain circumstances; requiring the Maryland Insurance Commissioner to adopt regulations that standardize certain documentation and a certain process; prohibiting a pharmacy benefits manager from retroactively denying or modifying reimbursement to a pharmacy or a pharmacist for a certain approved claim, with certain exceptions; requiring a pharmacy benefits manager to reimburse a pharmacy or pharmacist for a certain quantity of a prescription drug to meet a certain day's supply; limiting the amount of reimbursement that a pharmacy benefits manager may recoup, require to be repaid, or setoff under certain circumstances; and generally relating to pharmacy benefits managers and audits and reimbursement of pharmacies and pharmacists.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 15–1629  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 15–1631  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 839 – Delegates Stifler and Norman**

AN ACT concerning

**Governor’s Advisory Commission on Maryland Wine and Grape Growing –  
Membership**

FOR the purpose of altering the membership of the Governor’s Advisory Commission on Maryland Wine and Grape Growing; and generally relating to the Governor’s Advisory Commission on Maryland Wine and Grape Growing.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 10–1201(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 10–1203(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 840 – Delegates Stifler, Boteler, Eckardt, Frank, Glass,  
Haddaway–Riccio, Kach, and McComas**

AN ACT concerning

**Procurement – Living Wage – Repeal**

FOR the purpose of repealing the provisions of law regarding the living wage for State contracts; repealing the requirement that certain employers pay certain hourly wages to employees who work on certain State contracts; repealing the requirement that the Commissioner of Labor and Industry adjust and publish certain wages; repealing the requirement that the Commissioner adopt certain regulations; repealing the authority of the Commissioner to require certain employers to keep certain records and submit certain reports; repealing the requirement that the Commissioner make certain assessments regarding the appropriateness of certain measures and placements under the living wage requirements; repealing the requirement that certain employers post certain information regarding the living wage; repealing certain requirements regarding the filing, investigation, and resolution of violations of the living wage requirements; repealing provisions regarding the filing of actions for the violation of living wage requirements; and generally relating to the repeal of the living wage law.

BY repealing

Article – State Finance and Procurement

Section 18–101 through 18–109 and the title “Title 18. Living Wage”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 841 – Delegates Frick, Dumais, Eckardt, Feldman, Frank, George, Gilchrist, Haddaway–Riccio, Hixson, Hucker, Kach, A. Kelly, Kipke, Krebs, Lee, McDermott, McDonough, McMillan, A. Miller, Ready, Reznik, Schuh, Stocksdales, and Waldstreicher**

AN ACT concerning

**Food Service Facilities – Open Windows and Doors – Regulations**

FOR the purpose of requiring the Department of Health and Mental Hygiene, on or before a certain date, to adopt certain regulations that allow a food service facility to operate with the outer windows or outer doors of the facility open if a certain determination is made by a certain local health department; and generally relating to regulations for open windows and doors at food service facilities.

BY adding to

Article – Health – General

Section 21–324.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 842 – Delegate Oaks**

AN ACT concerning

**Maryland Transit Administration – Free Ridership for State Employees**

FOR the purpose of requiring the Maryland Transit Administration to extend to employees of the Judicial Branch and the Legislative Branch of State government, the application of any program, policy, or practice through which free ridership on transit vehicles is offered to employees of the Executive Branch of State government; and generally relating to the Maryland Transit Administration and free ridership for State employees.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 843 – Delegates Bates, Aumann, Beitzel, Eckardt, Elliott, Haddaway–Riccio, McConkey, W. Miller, O’Donnell, Stocksdales, and Szeliga**

AN ACT concerning

**General Assembly – Reduction in Budget Appropriations for Repeat Legislative Audit Findings**

FOR the purpose of requiring the General Assembly, under certain circumstances, to reduce certain budget appropriations by a certain percentage until a certain unit report to the Office of Legislative Audits and the Office makes a certain determination; defining a certain term; and generally relating to the reduction in budget appropriations by the General Assembly for repeat legislative audit findings.

BY renumbering

Article – State Government  
Section 2–1506  
to be Section 2–1506.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–1506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 844 – Delegates Stein, Cardin, Lafferty, and Morhaim**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Acorn Hill Natural Play Area**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$215,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 845 – Delegates Parrott, Afzali, Aumann, Bates, Boteler, Cluster, Eckardt, Fisher, Frank, Glass, Hershey, Hogan, Hough, Jacobs, Kach, Kipke, Krebs, McComas, McDermott, W. Miller, Norman, Otto, Ready, Schulz, Serafini, Stocksdale, Szeliga, and Vitale**

AN ACT concerning

**Transportation – Highway User Revenues – Distribution**

FOR the purpose of altering the allocation of funds in the Gasoline and Motor Vehicle Revenue Account between the Department of Transportation and Baltimore City, the counties, and the municipalities; altering the allocation of highway user revenues to Baltimore City and the counties and municipalities; and generally relating to the distribution of highway user revenues.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 8–401, 8–404, and 8–405  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–402 and 8–403  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 846 – Delegate George**

AN ACT concerning

**County Transfer Tax – Collection**

FOR the purpose of authorizing the governing body of a county to provide, by law, for the direct collection of the county transfer tax imposed on certain articles or documents filed with the Department of Assessments and Taxation or the clerk of the circuit court of a county; and generally relating to the collection and distribution of the county transfer tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–404(a) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 847 – Delegates McComas, Afzali, Bates, Boteler, Dwyer, Frank, Glass, Haddaway–Riccio, Howard, Kach, McDonough, Minnick, B. Robinson, Smigiel, Stocksdales, Valentino–Smith, and Vitale**

AN ACT concerning

**Vehicle Laws – Special Registration Plates – “In God We Trust”**

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed registration plate using the phrase “In God We Trust”; specifying the vehicles that are eligible for the registration plate; requiring the owner of a vehicle issued the registration plate to pay certain fees; restricting the amount and use of fees paid for registration plates under this Act; requiring the Administration to adopt certain regulations; and generally relating to registration plates using the phrase “In God We Trust”.

BY adding to  
Article – Transportation  
Section 13–619.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 848 – Delegate Conaway**

AN ACT concerning

**Vehicle Laws – Red Light and Speed Monitoring Systems – Emergency Vehicles**

FOR the purpose of providing that certain images of an emergency vehicle recorded by a traffic control signal monitoring system, a speed control monitoring system, or a work zone speed control system may not be the basis for a civil penalty or the issuance of a citation under certain provisions of law; and generally relating to emergency vehicles and traffic control signal monitoring systems, speed control monitoring systems, and work zone speed control systems.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–202.1(a)(4) and (5), 21–809(a)(4) and (5), and 21–810(a)(4) and (7)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–202.1(d), 21–809(c), and 21–810(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 849 – Delegates Gilchrist and Niemann**

AN ACT concerning

**Real Property – Condominiums – Allocation of Utility Costs**

FOR the purpose of requiring a certain council of unit owners to have the ability to allocate utility costs in a certain manner and grant or deny utility service to each unit under certain circumstances; defining a certain term; providing for the application of this Act; providing for a delayed effective date; and generally relating to the allocation of utility costs in a condominium.

BY adding to  
Article – Real Property  
Section 11–108.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 850 – Delegates Gilchrist and Niemann**

AN ACT concerning

**Real Property – Condominiums – Payment of Assessments and Fees**

FOR the purpose of authorizing a council of unit owners to petition the District Court for relief if a unit owner has failed to pay assessments and fees for a unit for a certain period of time and is renting the unit to a tenant; requiring a certified copy of the petition to be mailed to the unit owner and served on the tenant under certain circumstances; authorizing the District Court to enter an order directing the tenant to pay rent due under the lease to certain persons under certain circumstances; requiring the District Court to order certain persons to apply rent payments received to the payment of certain assessments and fees under certain circumstances; prohibiting a unit owner from taking any action for failure to pay rent against a tenant under certain circumstances; and generally relating to the payment of assessments and fees in condominiums.

BY adding to

Article – Real Property

Section 11–110.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 851 – Delegate Conaway**

AN ACT concerning

**Vehicle Laws – Registration Fees – Payment Plans**

FOR the purpose of authorizing the deferral of payment of a certain portion of a fee for the registration of vehicles in certain vehicle classifications subject to certain requirements; requiring the Motor Vehicle Administration to register or renew the registration of a vehicle of an applicant who pays the registration fee in accordance with this Act; authorizing the Administration to revoke the registration of the vehicle of a certain person who fails to pay the vehicle registration fee in accordance with certain requirements; requiring the Administration to adopt regulations to implement this Act; providing for the termination of this Act; and generally relating to vehicle registration and payment of fees for vehicle registration.

BY adding to

Article – Transportation

Section 13–901.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 852 – Delegate Conaway**

AN ACT concerning

**Correctional Services – Division of Correction – Length of Sentence**

FOR the purpose of altering a certain provision of law so as to prohibit a judge from sentencing an individual to the jurisdiction of the Division of Correction for 12 months or less unless the individual is an inmate under the jurisdiction of the Division of Correction; and generally relating to criminal sentencing.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 853 – Delegate Conaway**

AN ACT concerning

**Motor Vehicles – Seatbelts – Exception for Law Enforcement Officers**

FOR the purpose of providing that certain provisions of law requiring seat belt use do not apply to a law enforcement officer, under certain circumstances; making a certain stylistic change; and generally relating to law enforcement officers and the use of seat belts.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 854 – Delegate Gilchrist**

AN ACT concerning

**Forest Conservation Act – Exception for Local Stormwater Management Activity**

FOR the purpose of creating an exception to the requirements of the Forest Conservation Act for stormwater management activity performed by a local jurisdiction; and generally relating to exceptions to the requirements of the Forest Conservation Act.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–1602  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–1603(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 855 – Delegate Conaway**

AN ACT concerning

#### **State Lottery Agency – Education Lottery**

FOR the purpose of requiring the State Lottery Agency to conduct a certain monthly lottery for the benefit of the public school systems in the State; requiring the Comptroller to pay to the public school systems in the State a certain percentage of the money that remains in the State Lottery Fund from the proceeds of a certain lottery after a certain distribution; requiring the Agency to meet certain advertising criteria in conducting the lottery; specifying that the proceeds distributed under this Act to a public school system are intended to provide additional revenue distributed to public school systems; defining a certain term; and generally relating to lotteries conducted by the State Lottery Agency.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–120  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 9–120.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 856 – Delegate Conaway**

AN ACT concerning

**Criminal Law – Use of Dangerous Weapons During Crime**

FOR the purpose of prohibiting a person from using a certain dangerous weapon in the commission of a crime; establishing a penalty for a violation of this Act; prohibiting a court from imposing less than a certain minimum sentence; prohibiting a court from suspending any part of a certain minimum sentence; providing that a certain person is not eligible for parole in less than a certain period; establishing that, for a first offense, the sentence may be consecutive to or concurrent with a certain other sentence and, for each subsequent offense, the sentence shall be consecutive to and not concurrent with a certain other sentence; defining a term; and generally relating to the use of weapons in crimes.

BY adding to

Article – Criminal Law

Section 4–110

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 857 – Delegate Conaway**

AN ACT concerning

**Vehicle Laws – Red Light and Speed Monitoring Systems – Law Enforcement Vehicles**

FOR the purpose of providing that certain images of a law enforcement vehicle recorded by a traffic control signal monitoring system, a speed monitoring system, or a work zone speed control system may not be the basis for a civil penalty or the issuance of a citation under certain provisions of law; and generally relating to traffic control signal monitoring systems, speed monitoring systems, and work zone speed control systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–202.1(a)(4) and (5), 21–809(a)(4) and (5), and 21–810(a)(4) and (7)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–202.1(d), 21–809(c), and 21–810(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 858 – Delegate Gilchrist**

AN ACT concerning

#### **Land Use – Local Historic District Commissions and Historic Preservation Commissions – Alternate Members**

FOR the purpose of authorizing a local jurisdiction that creates a historic district commission or historic preservation commission to designate one alternate member for the historic district commission or historic preservation commission to sit on the commission under specified circumstances; authorizing the local jurisdiction to designate a temporary alternate when the alternate member is absent; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the appointment of alternate members for historic district commissions and historic preservation commissions.

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 8.03(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Land Use  
Section 8–201  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2lr0396) of the Acts of the  
General Assembly of 2012)

BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 8–202  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2lr0396) of the Acts of the  
General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 859 – Delegates Conaway, Glenn, McDonough, and B. Robinson**

AN ACT concerning

**Electric Companies – Interruption of Service – Reporting to Adult Protective Services**

FOR the purpose of requiring an electric company to report an interruption of service for certain customers due to a failure to pay an electric bill to the adult protective services program under certain circumstances; requiring an electric company to notify customers about the reporting requirement in each bill; and generally relating to the reporting of an interruption of service by an electric company.

BY adding to

Article – Public Utilities  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 860 – Delegate Stein**

AN ACT concerning

**Children in Need of Assistance – Sexual Abuse – Definition**

FOR the purpose of altering the definition of “sexual abuse” for provisions of law relating to children in need of assistance, child abuse, and child neglect to include certain actions relating to human trafficking, obscene material, pornography, and prostitution; and generally relating to child sexual abuse.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 3–801(a) and 3–802(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–801(x)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 5–701(a) and 5–702  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–701(x)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 861 – Delegate Braveboy**

AN ACT concerning

#### **Insurance – Unfair Claim Settlement Practices – Refusal to Pay a Claim**

FOR the purpose of altering the circumstances under which it is an unfair claim settlement practice and a violation of certain provisions of law for an insurer, nonprofit health service plan, or health maintenance organization to refuse to pay a claim; and generally relating to unfair claim settlement practices under insurance law.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–706(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–303  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 862 – Delegate Hammen**

AN ACT concerning

#### **Residential Child and Youth Care Practitioners – Certification – Modifications**

FOR the purpose of requiring the State Board for Certification of Residential Child Care Program Professionals, in consultation with the Children's Cabinet, to establish a tiered certification structure for residential child and youth care practitioners; requiring the Board to establish training requirements for the residential child and youth care practitioners certified by the Board; authorizing the Board to waive certain fees under certain circumstances; prohibiting the Board from requiring fees for the examination of qualified certified residential child and youth care practitioner applicants; establishing certain exceptions to the requirement that residential child and youth care practitioners be certified on or before a certain date; requiring, with certain exceptions, an applicant for a certificate as a residential child and youth care practitioner to have successfully completed a certain training program; requiring the Board to establish requirements and procedures for waiving the training program requirement for applicants with certain degrees under certain circumstances; requiring the Board to waive certain requirements for applicants who apply for certification on or before a certain date and present to the Board evidence of certain experience; requiring the Board to adopt regulations for approved training programs for residential child and youth care practitioners; requiring the regulations to include certain items; requiring the Board to post a list of approved training programs on its Web site; altering and repealing certain provisions of law relating to the age and training of direct care staff of residential child care programs that conflict with certain statutory requirements and requirements of this Act relating to residential child and youth care practitioners; providing for a delayed effective date for certain provisions of this Act; and generally relating to the certification of residential child and youth care practitioners by the State Board for Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 20–101(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–205, 20–206, 20–301(b), and 20–302.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 20–302.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 8–704(10) and 8–1002  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing

Article – Human Services  
Section 8–1003  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 863 – Delegate Serafini**

AN ACT concerning

#### **Teachers’ Retirement and Pension Systems – Local Employer Contributions**

FOR the purpose of requiring the State Board of Education to provide for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring certain counties to pay a certain amount of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State Board of Education, the Maryland Higher Education Commission, and each county to submit certain information to the Board of Trustees on or before a certain date each year; requiring the Board of Trustees to make certain determinations based on certain information; providing for the application of this Act; defining certain terms; and generally relating to the payment of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 21–304 and 21–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)



BY adding to

Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 864 – Delegates Stein, Clippinger, Barkley, Cardin, Feldman,  
Healey, Hucker, Jameson, Lafferty, Morhaim, and Ross**

AN ACT concerning

**Electricity – Community Energy–Generating Facilities and Net Energy  
Metering**

FOR the purpose of establishing a net energy metering program for community energy–generating facilities; specifying that a community energy–generating facility, subscriber, or subscriber organization is not an electric company or an electricity supplier; requiring electric companies to purchase certain unsubscribed electricity; requiring the Public Service Commission to set a date for the end of a certain billing cycle; giving certain electric companies ownership of certain electricity exported by the community energy–generating facility to the grid; stating that certain costs are the responsibility of the owner or operator of the community energy–generating facility; authorizing subscriber organizations to contract with third parties for certain functions; authorizing certain for–profit and nonprofit entities to be subscription organizations; specifying that owners, subscribers, and organizations that control community energy–generating facilities are not public service companies under certain circumstances; requiring the Commission to report each year to the General Assembly on the status of certain community energy–generating facilities; specifying that an electric company may not be responsible for resolving certain disputes; specifying that an electric company may not be liable for certain actions taken or agreements entered into by a subscription organization; requiring that the Commission adopt certain regulations for community energy–generating facilities; requiring the Commission to consider certain matters when adopting certain regulations; defining certain terms; making conforming changes; and generally relating to community energy–generation and net energy metering.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 1–101(h) and (j) and 7–306  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 865 – Delegates Pena–Melnyk, Barnes, Braveboy, Bromwell, Cardin, Carr, Clagett, Guzzone, Healey, Hucker, Ivey, A. Kelly, Kipke, Lafferty, Mitchell, Mizeur, Nathan–Pulliam, Oaks, Olszewski, Reznik, Rosenberg, Stein, Summers, F. Turner, V. Turner, and Zucker**

AN ACT concerning

**State Procurement – Disclosure of the Relocation of Jobs to a Foreign Country**

FOR the purpose of requiring a prospective bidder or offeror to disclose certain information to the Department of General Services concerning plans to relocate jobs to a foreign country when submitting a bid or an offer to a unit of State government; requiring a contractor to notify the Department of certain job relocations within a certain time period; prohibiting a certain contractor from receiving certain benefits or incentives from the State under certain circumstances; requiring a certain contractor to repay certain incentives and benefits within a certain time period; providing for the application of this Act; providing that this Act may not impair any existing obligation or contract right; and generally relating to State procurement and the disclosure of certain information concerning the relocation of jobs to foreign countries.

BY adding to

Article – State Finance and Procurement

Section 11–401 through 11–403 to be under the new subtitle “Subtitle 4.

Disclosure of the Relocation of Jobs to a Foreign Country”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 866 – Delegate Feldman**

AN ACT concerning

**Title Insurance – Closing or Settlement Protection**

FOR the purpose of requiring certain domestic title insurers to establish and maintain a certain reserve for certain losses arising from closing or settlement protection; authorizing the amount in reserve to be released in certain amounts under certain circumstances; authorizing a domestic title insurer to withdraw the entire reserve under certain circumstances; requiring a certain notice to include certain information about certain closing or settlement protection; authorizing a method to cure a certain failure to obtain a certain notice; requiring a title

insurer to provide certain closing or settlement protection to a certain protected party in a certain transaction; requiring the closing or settlement protection to indemnify certain persons against certain actions and failures in connection with certain transactions; limiting the extent of a certain indemnification; prohibiting the indemnification from being provided for certain losses or impairments; requiring certain title insurers to file for approval by the Maryland Insurance Commissioner of a certain premium; establishing a minimum amount of the premium; providing that the premium may not be subject to a certain agreement; authorizing a title insurer to provide a certain statement of coverage; prohibiting a title insurer from providing certain other coverage for a certain indemnification; requiring certain title insurers to file a certain initial premium on or before a certain date; providing for the application of this Act; providing for the effective dates of this Act; and generally relating to title insurance protection.

BY adding to

Article – Insurance  
Section 5–207 and 22–104  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 22–102  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 867 – Delegate Hubbard**

AN ACT concerning

#### **Education – Public School Construction Funding and Children’s Indoor Environmental Health**

FOR the purpose of authorizing a certain alternative financing method for a public school construction or capital improvement; authorizing a county board of education to establish an independent nonprofit entity or enter into contracts with nonprofit entities for a public school construction or capital improvement; requiring the Board of Public Works to adopt certain regulations concerning the health and safety of the occupants of a school building during a public school construction or capital improvement; altering the definition of “green product cleaning supplies” that are used in schools; requiring a county board to adopt written policies relating to the procurement of green products for schools; repealing the authority of a county board to use standards devised by certain rating entities to determine whether the board’s specifications for the

certification of green product cleaning supplies are met; repealing the authority of a county board to make a determination whether a product is a “green product”; altering requirements concerning LEED certification for certain new State-funded school construction; altering the definition of a “high performance building”; requiring certain high performance buildings to meet or exceed certain indoor environmental quality credits; and generally relating to public school construction funding and children’s indoor environmental health.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–126 and 5–112(e), (f), and (g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–301(b–1) and 5–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 5–112(f) and 5–313  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

### **House Bill 868 – Delegate Conway**

AN ACT concerning

#### **Finance and Procurement – State Treasury – Collateral**

FOR the purpose of clarifying the types of collateral that may be used under certain provisions of law to include a certain letter of credit if the letter meets certain requirements of the State Treasurer’s office; correcting a certain reference; and generally relating to letters of credit used as collateral.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 869 – Delegates Mitchell, Anderson, Branch, Braveboy, Bromwell, Cardin, Carter, Clippinger, Conaway, Davis, Glenn, Hammen, Haynes, Holmes, Ivey, Lafferty, McIntosh, Oaks, Olszewski, Pena–Melnyk, Proctor, B. Robinson, Rosenberg, Ross, Stukes, Summers, Valderrama, Valentino–Smith, Vallario, Vaughn, Walker, and Washington**

AN ACT concerning

**Maryland Workforce and Career Pathways Act of 2012**

FOR the purpose of establishing the Career Pathways Program in the Division of Employment and Training in the Department of Labor, Licensing, and Regulation; providing for the Program's purpose and priorities; requiring the Director of the Division to make grants for certain projects; requiring the Director to adopt certain regulations; requiring the Director to evaluate the performance of the Program; requiring that applicants for certain grants include certain partners; requiring certain projects and certain target populations to achieve certain outcomes; requiring that certain projects, as a condition for receiving grant funding, include certain elements; requiring a partnership that receives certain grants to establish certain programs to better serve the needs of certain target populations; specifying the content of certain programs; establishing the Career Pathways Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Division to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Governor to include a certain amount of money for the Fund in the annual budget bill beginning in a certain fiscal year; specifying the purposes for which the Fund may be used; providing for the investment of money in the Fund; requiring the Division to submit a certain report on or before June 30 of each year to the Governor, the Senate Finance Committee, and the House Economic Matters Committee; providing for the contents of the report; defining certain terms; and generally relating to the Division of Employment and Training and the Career Pathways Program.

BY adding to

Article – Labor and Employment  
Section 11–603  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 870 – Delegate Donoghue**

EMERGENCY BILL

AN ACT concerning

**State Board of Dental Examiners – Dentists and Dental Hygienists –  
Appointments**

FOR the purpose of altering the process for determining certain lists of names from which the Governor will make certain appointments to the State Board of Dental Examiners; requiring certain candidates to submit a certain form and a certain statement to the Board; requiring the Board to submit certain names to the Governor for candidates who meet certain requirements; prohibiting the Board from nominating certain candidates and submitting certain names to the Governor; requiring the Board to adopt certain regulations; making a stylistic change; making this Act an emergency measure; and generally relating to appointments and the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 871 – Delegates McComas, Alston, Aumann, Bates, Dwyer, Frank, Glass, Impallaria, Krebs, McConkey, McMillan, W. Miller, Parrott, Ready, B. Robinson, Schuh, Schulz, and Stocksdales**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**The Initiative**

FOR the purpose of amending the Maryland Constitution to provide for the Initiative; recognizing the power of the people to petition to a vote a proposal to add to, amend, and repeal the public general law or the Maryland Constitution under certain circumstances; prescribing requirements for the petition and for voting on the petitioned proposal; providing that initiated proposals that are adopted may not be amended or repealed for 2 years except under certain circumstances; generally relating to the Initiative process; providing that the Secretary of State

shall have certain powers and duties; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
New Article XVI–A – The Initiative  
Section 1 through 4

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 872 – Delegates Hucker, Cullison, Barkley, Barve, Carr, Feldman, Harrison, Kaiser, Luedtke, and Vaughn**

AN ACT concerning

**Cremation Choice Act of 2012**

FOR the purpose of expanding the definition of “cremation” for purposes of certain provisions of law to mean cold cremation, which is the disposition of human remains by deep freezing and evaporation; and generally relating to the definition of “cremation” used by the Office of Cemetery Oversight and the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–101(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 5–204(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–508(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–101(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 7–205(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 873 – Delegates Pena–Melnyk, Costa, Cullison, Hubbard, A. Kelly, Kipke, Nathan–Pulliam, Oaks, and V. Turner**

AN ACT concerning

**Assisted Reproduction Agreements – Court Approval, Notice, and Required Records**

FOR the purpose of authorizing intended parents, gamete donors, and a prospective gestational carrier to enter into a certain gestational agreement under certain circumstances; authorizing a gestational agreement to contain certain provisions; requiring a provider to provide each participant involved in an assisted reproduction with a certain notice containing certain information; authorizing the intended parents, gamete donors, or prospective gestational carrier to petition a circuit court to validate a gestational agreement under certain circumstances; authorizing a circuit court to validate a gestational agreement under certain circumstances; establishing that the circuit court has exclusive jurisdiction over certain matters for a certain period of time; authorizing certain parties to terminate a gestational agreement without liability in a certain manner; requiring the court to vacate an order validating a gestational agreement under certain circumstances; authorizing the court to impose sanctions or terminate a gestational agreement under certain circumstances; providing that the marriage of the gestational carrier after a gestational agreement is validated does not affect the validity of the gestational agreement; authorizing a gamete donor to be reimbursed under certain circumstances; requiring a certain notice to be filed within a certain period of time after a certain child is born; authorizing certain parties to file the notice under certain circumstances; requiring the court to issue a certain order after receiving the notice; requiring the court to order genetic testing of the child under certain circumstances; requiring a certain mental health professional to perform an initial mental health consultation that meets certain standards on each participant; requiring the mental health professional to offer certain additional counseling, perform a certain evaluation, and advise certain participants that they may request certain information; establishing certain circumstances under which it is presumed that the mental health professional offered additional counseling; requiring the mental health professional to provide the provider with a certain statement; establishing that certain information is medical information; requiring a provider to require a certain



participant who is an intended parent to sign a certain written consent; establishing that failure to sign the written consent does not preclude a certain finding of parentage under certain circumstances; requiring the provider to register certain information with the Assisted Reproduction Registry developed and maintained by the Department of Health and Mental Hygiene; authorizing a participant to withdraw consent to participate in assisted reproduction at any time before the transfer of gametes or embryos; establishing the parentage of a child resulting from assisted reproduction under certain circumstances; requiring certain consideration paid to be reasonable and negotiated in good faith; prohibiting consideration paid to be conditioned on certain factors; requiring the Department to develop and maintain an Assisted Reproduction Registry; establishing that the registry consists of certain information; authorizing the Department to disclose certain information under certain circumstances; requiring the Department to adopt certain regulations; defining certain terms; making the provisions of this Act severable; and generally relating to assisted reproduction agreements.

BY adding to

Article – Family Law

Section 5–901 through 5–911 to be under the new subtitle “Subtitle 9. Assisted  
Reproduction”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 874 – Delegates Aumann, Bates, Boteler, Cluster, Eckardt, Frank, Hershey, Hogan, Holmes, Hough, Howard, Jacobs, Kach, McComas, McConkey, McDonough, Minnick, Olszewski, Ready, Smigiel, Sophocleus, Stocksdale, Vitale, Weir, and Wood**

AN ACT concerning

### **Income Tax – Seniors Tax Relief Act**

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland income tax for certain individuals who as of the last day of the taxable year are blind or are at least a certain age; providing for the application of this Act; providing for a delayed effective date; and generally relating to certain exemptions allowed to be deducted to determine Maryland taxable income.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–211

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 875 – Delegates Conway, Cane, Jacobs, Malone, Otto, Rudolph, and Wood**

AN ACT concerning

**Public Safety – Explosives – Package of Components**

FOR the purpose of altering the definition of “explosives” to include two or more components that are packaged together for sale and when combined create a bomb or destructive device designed to operate by chemical, mechanical, or explosive action; and generally relating to explosives.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 11–101(a), 11–105(a), and 11–114  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 11–101(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 876 – Delegate Jameson**

AN ACT concerning

**Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases**

FOR the purpose of altering the scope of certain provisions of law that require an insurer to send to certain persons a certain notice of a premium increase for policies of commercial insurance and policies of workers’ compensation insurance; providing that the provisions of law do not apply to policies for which the renewal policy premium is in excess of a certain amount and a certain percentage increase over the expiring policy premium; providing for the application of this Act; and generally relating to notices of premium increases for property and casualty insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance

Section 27–608  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 877 – Delegate Glass**

AN ACT concerning

**Cecil County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Cecil County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 878 – Delegates Glass and Boteler**

AN ACT concerning

**Public Utilities – Smart Meters – Opt–Out Option**

FOR the purpose of requiring a certain electric company to give certain written notice to certain customers before installing smart meters on a customer’s premises under certain circumstances; specifying that only a landlord that owns premises may opt out of a smart meter installation; establishing a process by which a certain customer shall be deemed to have given permission to a certain electric company to install a smart meter; establishing a process by which a new owner of premises may request removal of an installed smart meter; providing that certain customers may refuse to allow an electric company to install a certain smart meter; providing that a certain customer who has refused to allow a certain electric company to install a smart meter may later submit a written request to the electric company for the installation of a smart meter; defining a certain term; providing for the application of this Act; and generally relating to the installation of smart meters by electric companies.

BY adding to  
Article – Public Utilities  
Section 7–302.1

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 879 – Delegate Morhaim**

AN ACT concerning

**Environment – Statewide Electronics Recycling Program**

FOR the purpose of altering the application of certain provisions of law relating to certain registration requirements under the Statewide Electronics Recycling Program; altering certain registration requirements and fees; requiring certain sales data to be treated as confidential and proprietary; requiring the Department of the Environment to maintain a certain list on its Web site; requiring a certain electronic device manufacturer that has implemented a certain takeback program to destroy or sanitize data from a returned electronic device in a certain manner; altering certain fines; repealing the authority of the Comptroller to assess and forward certain fines in a certain manner; authorizing the Department to assess certain fines; and generally relating to the Statewide Electronics Recycling Program.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1727, 9–1728, and 9–1730  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1728.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 880 – Delegates Glass, Bates, Boteler, Frush, Hough, Love,  
McComas, McDonough, Myers, and Stocksdale**

AN ACT concerning

**Property Tax – Credit for Individuals At Least 60 Years Old**

FOR the purpose of altering the minimum age for purposes of a certain property tax credit that the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation are authorized to grant; providing for

the application of this Act; and generally relating to enabling authority for a certain property tax credit for certain real property owned by and used as the principal residence of certain individuals of a certain age and of limited income.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–245(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 881 – Delegates Glass, Impallaria, McComas, McDonough, Mitchell, Otto, Ready, Szeliga, and Vitale**

AN ACT concerning

**Task Force to Review Property Tax Assessment Procedures and the Assessment Appeals Process**

FOR the purpose of establishing a Task Force to Review Property Tax Assessment Procedures and the Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing for the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; requiring the Task Force to conduct certain studies and make certain evaluations and recommendations; requiring that the Task Force issue a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review Property Tax Assessment Procedures and the Assessment Appeals Process.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 882 – Delegates Glass, Boteler, Cardin, Fisher, Frush, Ivey, McComas, A. Miller, Mitchell, Ready, and Rosenberg**

AN ACT concerning

**Income Tax Credit – Cat and Dog Adoption**

FOR the purpose of allowing an individual who adopts a cat or dog from certain animal shelters or rescue facilities a credit against the State income tax; providing that an individual may not claim the credit for more than 1 taxable year with respect to the same cat or dog; providing that an individual may not claim a credit greater than a certain amount for any taxable year; requiring the Comptroller to adopt certain regulations; providing for the application of this

Act; and generally relating to a credit against the State income tax for adopting a cat or dog.

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 883 – Delegates Glass, Braveboy, Dwyer, Frush, Hixson, Hough, Howard, Ivey, Jacobs, Kaiser, McComas, McDonough, A. Miller, Ready, Rosenberg, Ross, Schulz, Serafini, Stocksdale, Stukes, and Vitale**

AN ACT concerning

**Family Law – Protective Orders – Additional Relief**

FOR the purpose of authorizing a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–506(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 884 – Delegates Summers, Bobo, Braveboy, Gaines, Healey, Holmes, Howard, Ivey, Jacobs, Jones, Kaiser, Lafferty, McDonough, Niemann, B. Robinson, Stocksdale, and Zucker**

AN ACT concerning

**Electric, Gas, and Water Service – Default Notice to Condominium Unit Owners and Residents**

FOR the purpose of requiring certain persons that directly bill the governing body of a condominium or a person designated by the governing body for the water, electric, or gas service to post notice at certain affected condominium units and mail notice to the last known address of the owners of certain affected condominium units when a certain charge is in default for a certain time period; authorizing certain persons to enter onto the common area of certain

condominium property at certain times to post a certain notice on or near the entry of certain units; providing for the application of certain provisions of this Act; and generally relating to the provision of default notice for electric, gas, and water service to condominium property.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–662(l) and 9–724(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–662(o) and 9–724(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–726.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–307.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 25–504  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio,  
Impallaria, Love, W. Miller, Minnick, and Schulz**

AN ACT concerning

**Fraudulent Insurance Acts – Individual Sureties – Contracts  
of Surety Insurance**

FOR the purpose of establishing that it is a fraudulent insurance act for an individual surety to make a certain representation or to issue a contract of surety

insurance, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully assist a person to obtain a contract of surety insurance from an individual surety, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully make a certain false or fraudulent statement or representation about certain assets pledged by an individual surety or to knowingly or willfully fail to return certain money or premiums paid for a contract of surety insurance under certain circumstances; establishing certain penalties for certain violations of this Act; defining a certain term; and generally relating to individual sureties, contracts of surety insurance, and fraudulent insurance acts.

BY adding to

Article – Insurance  
Section 27–406.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 27–408  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 886 – Delegates Ivey, Barve, Cardin, Clippinger, Glenn, Kaiser, Lafferty, McIntosh, Mitchell, Pena–Melnyk, B. Robinson, Rosenberg, Ross, Walker, and Washington**

AN ACT concerning

**Maryland After–School and Summer Opportunity Fund Program**

FOR the purpose of transferring the Maryland After–School Opportunity Fund Program from the State Department of Education to the Governor’s Office for Children; altering the name of the Program; requiring the Executive Committee of the Program’s Advisory Board to use a certain framework and consult with a certain network; altering the membership of the Program’s Advisory Board and requiring the Advisory Board to develop a certain strategy; requiring a certain plan to address certain issues; limiting grant eligibility to nonprofit organizations; establishing certain parameters for awarding grants; requiring the Executive Committee to review annually certain regulations and to adopt certain regulations by a certain time; making conforming changes; defining certain terms; and generally relating to the Maryland After–School and Summer Opportunity Fund Program.



BY transferring

Article – Education

Section 7–1201 through 7–1207, respectively, and the subtitle “Subtitle 12.  
Maryland After–School Opportunity Fund Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

to be

Article – Human Services

Section 8–1101 through 8–1107, respectively, and the subtitle “Subtitle 11.  
Maryland After–School Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 8–1101 through 8–1107 to be under the amended subtitle “Subtitle 11.  
Maryland After–School and Summer Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 887 – Delegates Glass, Boteler, Conaway, Hough, Impallaria,  
Jacobs, McComas, McDonough, Myers, Parrott, Ready, Schulz, Serafini,  
Szeliga, and Vitale**

AN ACT concerning

**Motor Vehicle Administration – Copy of Driving Record – Reduction of Fee  
for Additional Copies**

FOR the purpose of requiring the Motor Vehicle Administration to charge a certain fee  
for each additional driving record requested at the same time as the first  
driving record; and generally relating to copies of driving records.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–113(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 888 – Prince George’s County Delegation and Montgomery County  
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Residential Rental Property –  
Delinquency – Receiver  
PG/MC 105–12**

FOR the purpose of authorizing the Washington Suburban Sanitary Commission or certain persons to institute an action for receivership in certain cases of delinquency in accounts for water and sewer usage provided to a residential rental property in the sanitary district under certain circumstances; establishing a certain procedure for petitioning a circuit court for appointment of a receiver; requiring a certain court to issue a certain show cause order to certain persons under certain circumstances; requiring the show cause order to be posted and served in certain manners; requiring the court to conduct a certain hearing within a certain period of time; authorizing a receiver to receive certain money and to take certain actions; requiring a receiver to establish an escrow account for certain purposes; requiring a receiver to pay certain charges from the escrow account; providing that certain persons are liable for certain fees and costs; providing for the termination of a receivership under certain circumstances; providing that certain actions may not be maintained against certain persons for a certain period under certain circumstances; providing for the application of certain rules to a receivership under this Act; defining certain terms; and generally relating to the Washington Suburban Sanitary Commission and delinquencies involving residential rental property.

BY adding to

Article – Public Utilities

Section 25–504.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 889 – Prince George’s County Delegation and Montgomery County  
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Human Resources  
PG/MC 103–12**

FOR the purpose of repealing a requirement that the Washington Suburban Sanitary Commission submit changes of certain regulations to the Secretary of Budget and Management; repealing a provision stating that failure of the Secretary to act within a certain time period on receipt of a certain regulation constitutes approval; repealing a requirement that the Commission file a certain list of positions and salaries with the Secretary; repealing a requirement that the

Commission submit for approval certain position classifications to the Secretary; repealing provisions requiring the Secretary to approve or disapprove certain changes; repealing certain provisions relating to competitive examinations held by the Commission; clarifying that certain honorably discharged veterans shall receive a certain credit in certain competitive selection processes; and generally relating to the human resources practices of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 18–105, 18–108, and 18–111  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Public Utilities  
Section 18–109, 18–110, 18–112, and 18–113  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 890 – Prince George’s County Delegation and Montgomery County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Pipeline Construction –  
Contracts  
PG/MC 104–12**

FOR the purpose of expanding the definition of a “facilities construction contract” to include the construction of a pipeline in order to authorize the Washington Suburban Sanitary Commission to enter into a certain design/build contract for pipeline construction; repealing a prohibition on the Commission from entering into a design/build contract for a pipeline; and generally relating to the authority of the Washington Suburban Sanitary Commission to enter into construction contracts.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 16–101(b) and 20–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities

Section 20–101(d) and 20–104(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 891 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Real Property – Dwellings Rented to Individuals at  
Least 55 Years Old – Air-Conditioning Systems  
PG 414–12**

FOR the purpose of requiring, in Prince George’s County, certain residential dwelling structures offered for rent to individuals at least a certain age and constructed or improved in a certain manner on or after a certain date with money received from the State on or after a certain date to be equipped with an air-conditioning system meeting certain requirements; requiring air-conditioning systems required under this Act to be in compliance with certain codes; and generally relating to air-conditioning systems in residential dwelling structures in Prince George’s County rented to individuals at least 55 years old.

BY adding to

Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 892 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Qualifying Municipal Corporations – Land Use  
Decisions  
PG 411–12**

FOR the purpose of authorizing a governing body of a certain municipal corporation by resolution to exercise the powers of the Prince George’s County Planning Board, the zoning hearing examiner for Prince George’s County, or the County Council for Prince George’s County, sitting as a district council, to make certain land use decisions; subjecting the exercise of certain powers by the governing body of a certain municipal corporation to the substantive and procedural requirements and standards established in the Prince George’s County zoning ordinance; prohibiting a governing body of a certain municipal corporation from amending

the Prince George's County zoning ordinance or adopting a municipal zoning ordinance; granting a certain party of record a right to seek judicial review of a certain decision; defining a certain term; and generally relating to land use decisions by governing bodies of municipal corporations in Prince George's County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–112.5  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 893 – Prince George's County Delegation and Montgomery County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Commissioners – Salary  
PG/MC 113–12**

FOR the purpose of authorizing the County Council of Montgomery County and the County Council of Prince George's County to authorize supplementary salaries for the commissioners of the Washington Suburban Sanitary Commission from their respective counties under certain circumstances; providing that this Act or any authorization of the County Council of Montgomery County or the County Council of Prince George's County does not apply to the salary or compensation of the commissioners of the Washington Suburban Sanitary Commission during a certain term of office; and generally relating to the salary of the commissioners of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 17–107  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 894 – Prince George's County Delegation and Montgomery County Delegation**

AN ACT concerning

**Washington Suburban Sanitary District – Unpaid Water and Sewer Charges –  
Collection and Liens**

**PG/MC 106–12**

FOR the purpose of altering a provision to authorize, rather than require, the collection of a certain unpaid bill for water and sewer services within the Washington Suburban Sanitary District to be collected against the owner of the property served in a certain manner; providing that if a certain bill for water and sewer services within the District is not paid within a certain time period the charges, interest, and penalties constitute a lien in favor of the Washington Suburban Sanitary Commission that extends to certain property and rights to property belonging to a certain person or fiduciary estate; requiring the Commission to file a notice of a certain lien with the clerk of the circuit court for the county in which the property is located; providing that, from the date that a certain lien is filed, the lien has the full force and effect of a judgment lien; providing that the provision of this Act that creates a lien in favor of the Commission may not be construed to invalidate an existing contract between the Commission and a municipality located within the Washington Suburban Sanitary District without the consent of the municipality; and generally relating to the collection of and liens for unpaid water and sewer charges in the Washington Suburban Sanitary District.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 25–504  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 895 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Authority to Impose Fees for Use of Disposable  
Bags  
PG 402–12**

FOR the purpose of authorizing Prince George’s County to impose, by law, a fee on certain retail establishments for use of disposable bags under certain circumstances; defining certain terms; and generally relating to the authority for Prince George’s County to impose a fee for use of disposable bags.

BY adding to  
The Public Local Laws of Prince George’s County  
Section 10–283 to be under the new division “Division 16. Fees for Use of  
Disposable Bags”  
Article 17 – Public Local Laws of Maryland  
(2007 Edition and 2008/2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 896 – Prince George’s County Delegation and Montgomery County Delegation**

AN ACT concerning

**The Washington Suburban Sanitary Commission Transparency and Rate Relief Act of 2012  
PG/MC 107–12**

FOR the purpose of altering the terms of Washington Suburban Sanitary District bonds and refunding bonds that may be issued by the Washington Suburban Sanitary Commission to decrease the number of years that a bond may mature from the date of issuance; requiring the Commission to reduce a certain sum owed for the extinguishment or redemption of a front foot benefit charge by a certain amount under certain circumstances; requiring certain information regarding the number of payments of a front foot benefit charge to be printed on property tax bills in Prince George’s County; prohibiting the Commission from assessing a benefit charge against certain real property for longer than a certain number of years under certain circumstances; prohibiting the Commission from recalculating or increasing any benefit charge assessed against property because of a reduction of the revenues collected by the Commission as a result of this Act; prohibiting the Commission from assessing a benefit charge for longer than a certain number of years against any new residential real property constructed in Prince George’s County or Montgomery County on or after a certain date; requiring the Commission to use money in a certain bond fund to offset any reduction in revenues collected by the Commission as a result of this Act; providing that a property owner against whose property a benefit charge has been assessed by the Commission for a certain number of immediately preceding years shall be deemed as having paid the benefit charges in full; prohibiting the Commission from assessing a front foot benefit charge against certain property during a certain fiscal year; prohibiting the Commission from raising a certain service rate for water or sewer usage by more than a certain amount in a certain fiscal year; and generally relating to water and sewer usage service rates of and bonds issued and benefit charges assessed and collected by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 22–102, 22–114, 25–211, and 25–214  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities

Section 25–215  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 897 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Property Tax – Installment Payment Schedule  
PG 416–12**

FOR the purpose of authorizing the governing body of Prince George’s County to provide, by law, a six–installment payment schedule for State, county, municipal, and special taxing district property taxes due on certain residential property under certain circumstances; requiring the governing body of Prince George’s County to provide, by law, for additional eligibility criteria for the payment schedule, a process for electing the payment schedule, the due date of each payment installment, and any other provision necessary to carry out the installment payment schedule; providing for the application of this Act; and generally relating to a certain property tax payment schedule in Prince George’s County.

BY adding to

Article – Tax – Property  
Section 10–204.3(k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 898 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Property Tax – Exemption for Economic  
Development Projects  
PG 418–12**

FOR the purpose of providing for certain exemptions from county property tax under certain circumstances for certain economic development projects located in certain designated focus areas in Prince George’s County; setting forth certain requirements in order to qualify for the property tax exemption; requiring certain annual reports on projects for which Prince George’s County has entered into payment in lieu of taxes agreements; defining certain terms; and generally



relating to a property tax exemption for certain property located in Prince George's County.

BY adding to

Article – Tax – Property

Section 7–516

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 899 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Department of Environmental Resources – Fee for  
Registration of Property Subject to Foreclosure  
PG 419–12**

FOR the purpose of authorizing the Director of the Prince George's County Department of Environmental Resources to collect a certain fee with a certain notice of a filing to foreclose on residential or commercial property; requiring the fee collected to be used for certain purposes; and generally relating to the registration of residential and commercial property subject to foreclosure in Prince George's County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George's County

Section 13–1102

Article 17 – Public Local Laws of Maryland

(2007 Edition and 2008/2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 63)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #1****House Bill 4 – Delegates Cardin, Stein, DeBoy, Minnick, and Nathan–Pulliam****CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Qualifications**

Delegate Minnick moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 104    Negative – 30    (See Roll Call No. 64)

The Bill was then sent to the Senate.

**House Bill 63 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Employees – Criminal History Records Checks**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 65)

The Bill was then sent to the Senate.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Amendment to House Rule 23**

BY:    The Majority Leader

**AMENDMENT TO HOUSE RULE 23**

ORDERED by the House of Delegates, that House Rule No. 23, as adopted by the House for the 2012 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“23.

(A) [Each bill] DURING A REGULAR SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE BILL, HOUSE JOINT RESOLUTION, House Resolution, and [other resolution] HOUSE SIMPLE RESOLUTION shall be numbered in order as introduced, beginning with [H.B.] HOUSE BILL 1 for House Bills, [H.J.R.] HOUSE JOINT RESOLUTION 1 for House Joint Resolutions, [H.R.] HOUSE RESOLUTION 1 for House Resolutions, and [H.S.R.] HOUSE SIMPLE RESOLUTION 1 for House Simple Resolutions.

(B) DURING A SPECIAL SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE BILL, HOUSE JOINT RESOLUTION, HOUSE RESOLUTION, AND HOUSE SIMPLE RESOLUTION SHALL BE NUMBERED IN THE ORDER IT IS INTRODUCED, BEGINNING WITH A NUMBER DETERMINED TO BE APPROPRIATE BY THE CHIEF CLERK OF THE HOUSE.”.

The amendment to House Rule 23 was read and adopted.

#### **Amendment to House Rule 10**

BY: Majority Leader

#### AMENDMENT TO HOUSE RULE 10

ORDERED by the House of Delegates, that House Rule 10, as adopted by the House for the 2012 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“10.

(a) (1) The Speaker shall preserve order and decorum during the sessions of the House, INCLUDING PREVENTING DILATORY OR FRIVOLOUS CONDUCT FROM OBSTRUCTING THE BUSINESS OF THE HOUSE.

(2) One rap of the gavel calls the House to order or seats it, and two raps call the members to stand.

(b) (1) If a member violates any of these Rules, the Speaker shall call the member to order, and any other member of the House may request the Speaker to do so.

(2) All questions of order shall be determined by the Speaker without debate.

(c) (1) No person, other than members of the House and those persons permitted by paragraph (2) OF THIS SUBSECTION, may be admitted to the floor of the House while it is in session.

(2) Except as to a person who is acting in a representational capacity to promote or oppose legislation during the period of such representation, the prohibition of paragraph (1) OF THIS SUBSECTION does not apply to the Governor of Maryland, Judges of the Court of Appeals, former Governors, members of the Senate of Maryland, former members of the House of Delegates, and other persons designated by the Speaker.

(3) A motion to suspend [Section (c) of this Rule] THIS SUBSECTION must be submitted in writing to the House at least one day prior to the time of its consideration.

(d) The Speaker shall have general supervision over the House Chamber and over the rooms, balconies, corridors, and lobbies adjacent thereto and may control admission to, behavior, and presence in those places. In case of any disturbance or disorderly conduct therein, the Speaker may order one or more of those places cleared.”.

The amendment to House Rule 10 was read and adopted by yeas and nays as follows:

Affirmative – 87    Negative – 46    (See Roll Call No. 66)

### **House Rule 116**

Read and adopted.

## **LETTERS OF REASSIGNMENT**

### **MEMORANDUM**

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD

From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 467	APP

Read and ordered journalized.

#### MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M  
From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 519	APP

Read and ordered journalized.

#### MEMORANDUM

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD  
From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 566	ENV

Read and ordered journalized.

### QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 67)

**ADJOURNMENT**

At 11:22 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 10, 2012.

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**Annapolis, Maryland**  
**Friday, February 10, 2012**

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The House met at 11:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 68)

The Journal of February 9, 2012 was read and approved.

**EXCUSES:**

Del. Braveboy – personal

Del. Cardin – birth of baby

Del. Carter – illness

Del. Griffith – illness

Del. Tarrant – doctor’s appointment

Del. Wilson – business

**INTRODUCTION OF BILLS**

**House Bill 900 – Prince George’s County Delegation and Montgomery County Delegation**

AN ACT concerning

**Prince George’s County – Proposed Subdivisions – Escrow Funds for Traffic Mitigation**  
**PG/MC 109–12**

FOR the purpose of authorizing the Prince George’s County Planning Board, if it makes certain findings, to allow a developer of a proposed subdivision that would increase traffic in a certain roadway or intersection beyond a certain level to pay a certain fee into a certain escrow fund instead of making certain necessary improvements to the roadway or intersection; requiring the Prince George’s County Department of Public Works and Transportation to maintain an escrow fund established under this Act; specifying the permissible uses for an escrow fund established under this Act; providing for the calculation of the

fee to be paid into an escrow fund by a developer of a subdivision; authorizing the Board to require a subdivision to construct certain improvements under certain circumstances; providing for a certain fee deduction or reimbursement if certain improvements are made; providing that this Act applies only in certain areas; defining certain terms; and generally relating to proposed subdivisions and escrow funds for traffic mitigation in Prince George's County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 7–115.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 901 – Prince George's County Delegation and Montgomery County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – High Performance Buildings  
PG/MC 110–12**

FOR the purpose of requiring certain buildings owned by the Washington Suburban Sanitary Commission to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; authorizing the Commission to request a certain waiver from certain high performance building standards from a certain county; authorizing a certain county council, with approval of the county executive, to issue a certain waiver under certain circumstances; expressing a certain intent of the General Assembly; defining certain terms; and generally relating to the Washington Suburban Sanitary Commission and high performance buildings.

BY adding to

Article – Public Utilities  
Section 21–104  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 902 – Prince George's County Delegation and Montgomery County Delegation**

AN ACT concerning



**Washington Suburban Sanitary Commission – Minority Business Enterprise  
Utilization Program – Termination Extension  
PG/MC 102–12**

FOR the purpose of continuing until a certain date certain provisions relating to procurement from minority business enterprises by the Washington Suburban Sanitary Commission; and generally relating to procurement by the Washington Suburban Sanitary Commission from minority business enterprises.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 20–208  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 903 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Adults with Developmental Disabilities Citizen’s  
Advisory Committee  
PG 407–12**

FOR the purpose of establishing the Adults with Developmental Disabilities Citizen’s Advisory Committee in Prince George’s County; providing for the purposes, membership, and duties of the Advisory Committee; requiring the Advisory Committee to elect officers from among its members; requiring a certain office in the Developmental Disabilities Administration to provide certain assistance to the Advisory Committee; providing that a member of the Advisory Committee may not receive certain compensation; requiring the Advisory Committee to meet at least once each month; requiring representatives from the Advisory Committee to meet with certain individuals on a certain basis; defining a certain term; providing for the termination of this Act; and generally relating to the establishment of the Adults with Developmental Disabilities Citizen’s Advisory Committee in Prince George’s County.

BY renumbering  
Article – Health – General  
Section 7–1201 and the subtitle “Subtitle 12. Short Title”  
to be Section 7–1301 and the subtitle “Subtitle 13. Short Title”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 7–1201 to be under the new subtitle “Subtitle 12. Prince George’s County – Adults with Developmental Disabilities Citizen’s Advisory Committee”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 904 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Drug Free School Zones – Hotline Number on Signs PG 406–12**

FOR the purpose of requiring that a certain hotline number to report information concerning suspected illegal drug activity be included on certain signs designating certain areas as drug free school zones in Prince George’s County; and generally relating to drug free school zone signs in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Education

Section 4–124

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 905 – Delegate Griffith**

AN ACT concerning

#### **Task Force to Study Water and Sewer Construction Charges by Developers in the Washington Suburban Sanitary District**

FOR the purpose of establishing a Task Force to Study Water and Sewer Construction Charges by Developers in the Washington Suburban Sanitary District; establishing the membership and staffing of the Task Force; providing for the election of the chair of the Task Force; providing that the members of the Task Force may not receive certain compensation but are entitled to certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations to the Governor and the Montgomery County and Prince George’s County delegations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Water and Sewer

Construction Charges by Developers in the Washington Suburban Sanitary District.

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 906 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Common Ownership Communities – Fee for  
Mandatory Administrative Hearing Services  
PG 401–12**

FOR the purpose of authorizing Prince George’s County, by ordinance, to impose and collect a fee for the provision of mandatory administrative hearing services for the resolution of disputes involving a common ownership community located in the county; authorizing Prince George’s County to include certain provisions in a certain ordinance; defining a certain term; and generally relating to the authority of Prince George’s County to impose and collect a fee for the provision of mandatory administrative hearing services for common ownership communities.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1601 to be under the new subtitle “Subtitle 16. Prince George’s  
County Mandatory Administrative Hearing Services”

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 907 – Delegates McIntosh and Hixson**

AN ACT concerning

**Environment – Natural Gas Production – Severance Tax**

FOR the purpose of requiring the Department of the Environment to establish a separate account within the Oil and Gas Fund for certain purposes; authorizing the Department to recover certain costs in a civil action; imposing a certain tax on the removal of natural gas from certain wells in the State; providing for the calculation of the tax; setting the rate of the tax; requiring certain persons subject to the tax to keep certain records and to submit certain reports to the Department in a certain manner; providing for the collection of the tax by the Department; requiring revenue from the tax to be deposited into a certain separate account within the Fund; altering certain definitions; defining certain terms; and generally relating to the natural gas severance tax.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–102, 14–122, and 14–123  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 14–1A–01 through 14–1A–04 to be under the new subtitle “Subtitle 1A.  
Natural Gas Severance Tax”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 908 – Delegates Ross, Alston, Anderson, Braveboy, Haynes, and Stukes**

AN ACT concerning

**Election Law – Boards of Elections – Membership**

FOR the purpose of altering the membership of the State Board of Elections and the local boards of elections by replacing principal minority party members with members who are not affiliated with the majority party; requiring the Governor to appoint members of the State Board and the local boards who are not affiliated with the majority party in a certain manner; providing for filling a vacancy on a local board of elections in a seat formerly held by a member who is not affiliated with the majority party; requiring at least one member of a local board of canvassers present during the canvass to be a member who is not affiliated with the majority party; making conforming changes; defining a certain term; providing for the effective dates of this Act; and generally relating to the membership of the State Board and the local boards of elections.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–101, 2–201, and 11–301(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 909 – Delegates Vitale and Eckardt**

AN ACT concerning

**Crimes – Synthetic Cannabinoid – Schedule I – Penalties**

FOR the purpose of listing certain chemical compounds, known as synthetic cannabinoid, on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; prohibiting a person from knowingly or intentionally possessing a certain synthetic cannabinoid; prohibiting a person from selling, distributing, or possessing with intent to sell or distribute a certain synthetic cannabinoid; prohibiting a person from manufacturing a certain synthetic cannabinoid; establishing penalties for a violation of this Act; providing that this Act controls penalties for certain crimes; providing for the application of this Act; defining a certain term; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 5–711  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 910 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Budgetary Processes**

FOR the purpose of renaming certain balances in the general fund of Frederick County; requiring that if a certain committed general fund balance is appropriated and expended by the County Commissioners of Frederick County, the County Commissioners shall replenish the committed general fund balance by the end of a certain fiscal year; and generally relating to the budgetary processes of Frederick County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Frederick County  
Section 2–7–1, 2–7–4(a), and 2–7–11  
Article 11 – Public Local Laws of Maryland  
(2004 Edition and July 2011 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 911 – Delegate Jacobs**

AN ACT concerning

**Natural Resources – Commercial Fishing – Crabs and Striped Bass**

FOR the purpose of prohibiting a tidal fish licensee who is authorized to fish for striped bass and catch crabs for commercial purposes from fishing for striped bass using a hook and line and catching crabs in any manner at the same time; and generally relating to commercial fishing for striped bass and crabs.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–701(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–701(c), (d), and (e)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 912 – Delegates Kach and Olszewski**

AN ACT concerning

**Domestic Animals – Pet and Animal Guardians**

FOR the purpose of altering certain terminology relating to the ownership and guardianship of dogs; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to replace certain references in the Code in relationship with certain domestic animals and to describe such corrections in an editor's note in the Code; and generally relating to the use of certain terminology regarding a pet or domestic animal.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 11–501(a), (a–1)(2), and (e), 11–502, 11–503(a), 11–504(i), (j)(2), and (l)(3) and (5), 11–506, 11–508(b)(1) and (c), 11–510(c), (d), and (e),

11–511(c)(2), 11–512(a), 11–513(b), and 11–514(b)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a–1)(1), 11–508(a), 11–510(a), 11–511(a) and (b), 11–513(a), and  
11–514(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 913 – Delegate Davis**

AN ACT concerning

**Residential Multiple Occupancy Buildings – Master Meters – Heating,  
Ventilation, and Air Conditioning Services**

FOR the purpose of repealing the termination provision of a certain provision on the use of master meters for certain heating, ventilation, and air conditioning services in certain residential multiple occupancy buildings; and generally relating to residential multiple occupancy buildings.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–304.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 315 of the Acts of the General Assembly of 2010  
Section 2

Read the first time and referred to the Committee on Economic Matters.

**House Bill 914 – Delegate Kipke (By Request – Anne Arundel County  
Administration)**

AN ACT concerning

**Recordation Tax – Public Utilities – Indemnity Mortgages**

FOR the purpose of providing that, except under certain circumstances, secured debt with respect to certain instruments of writing that secure a guarantee of repayment of a loan is deemed for purposes of the recordation tax to be incurred when and to the same extent as debt is incurred on the guaranteed loan and the recordation tax applies with respect to certain instruments of writing in a certain manner; defining certain terms; and generally relating to the treatment

of certain indemnity mortgages on certain public utility property under the recordation tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–105(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 915 – Delegates Jacobs, Afzali, Cluster, Eckardt, Frank, Haddaway–Riccio, Hershey, McDermott, Norman, Otto, Smigiel, Summers, and Weir**

AN ACT concerning

**Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption**

FOR the purpose of expanding the application of certain provisions of law relating to the protection of agricultural operations from certain actions under certain circumstances to apply to certain commercial fishing and seafood operations; exempting certain commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a certain decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court in a certain manner; defining a certain term; altering the definition of a certain term; and generally relating to nuisance actions against commercial fishing or seafood operations.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–403  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 916 – Delegate Braveboy**

AN ACT concerning



**State Retirement and Pension System – Study of Asset Management**

FOR the purpose of requiring the Governor's Office of Minority Affairs to conduct a study of the Maryland State Retirement and Pension System and all funds managed by the Board of Trustees for the State Retirement and Pension System to determine the capacity to select minority fund managers across all asset classes and to determine methods that best assure the recruitment and selection of minority companies for fund-to-fund management or direct management by the Investment Division of the State Retirement Agency; requiring the Governor's Office of Minority Affairs to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the management of the assets of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 21–116(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 917 – Delegates Gilchrist, Barkley, Cardin, Ivey, A. Miller, Myers, Schuh, and Serafini**

AN ACT concerning

**Income Tax – Subtraction Modification for Retirement Income**

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income for certain taxable years; including income from certain retirement plans within a certain subtraction modification for certain retirement income under certain circumstances; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 918 – Delegates Hixson, Afzali, Barve, Cardin, Frick, George, Howard, Ivey, Kaiser, Kipke, Luedtke, McDonough, McMillan, A. Miller, W. Miller, Rosenberg, Ross, Rudolph, Stocksedale, and Summers**

AN ACT concerning

**Sales and Use Tax – Alcoholic Beverages – Calculation of Tax**

FOR the purpose of altering the definition of “taxable price” under the sales and use tax to include a mandatory gratuity charge or service charge in the nature of a tip for serving certain items to a group containing at least a certain number of individuals; altering the sales and use tax rate for a mandatory gratuity charge or service charge in the nature of a tip under certain circumstances; modifying the calculation of the sales and use tax rate applicable to charges for labor, materials, or property used in connection with the sale of an alcoholic beverage; and generally relating to the sales and use tax and alcoholic beverages.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–101(l)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 11–101(l)(5) and 11–104(h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–104(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 919 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Issuance, Transfer, and Renewal of Alcoholic  
Beverages Licenses – Payment of Taxes  
PG 302–12**

FOR the purpose of prohibiting the Board of License Commissioners for Prince George’s County from issuing or renewing a license unless the Board is provided verification that certain undisputed taxes have been paid or that payment has been provided for; authorizing the Board to condition the issuance of a license for which a transfer has been approved on verification that certain undisputed

taxes have been paid or that payment has been provided for; specifying that certain requirements concerning verification of undisputed taxes apply to the principals or owners of certain entities and the immediate relatives of the principals and owners; and generally relating to alcoholic beverages licenses in Prince George's County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 10–202(i–1) and 10–301(f–1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 920 – Delegate Rosenberg**

AN ACT concerning

#### **Maryland Uniform Athlete Agents Act – Definitions and Prohibitions**

FOR the purpose of altering the definition of “agency contract” to include a certain agreement in which a student–athlete authorizes a person to assess and plan for the financial benefits that may arise out of the student–athlete’s professional sports career; altering the definition of “athlete agent” to include an individual who facilitates or encourages a connection between a student–athlete and another athlete agent; prohibiting an athlete–agent with certain intent from soliciting another individual to commit an act on behalf of the athlete agent that is a violation of the Maryland Uniform Athlete Agents Act; and generally relating to the Maryland Uniform Athletes Agents Act.

BY repealing and reenacting, without amendments,

Article – Business Regulation  
Section 4–401(a) and 4–414  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 4–401(b) and (c) and 4–413  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 921 – Delegate Waldstreicher**

AN ACT concerning

**Crimes – Solicitation – Statute of Limitations**

FOR the purpose of providing that the statute of limitations for the crime of solicitation is the statute of limitations for the prosecution of the substantive crime that is the subject of the solicitation; and generally relating to the statute of limitations for the crime of solicitation.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(n)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–106(bb)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 922 – Delegate Clagett**

AN ACT concerning

**Maryland Smart Growth Advisory Council**

FOR the purpose of establishing the Maryland Smart Growth Advisory Council; providing for the appointment, selection, membership, terms, and duties of the Council; requiring the Council to develop criteria for the selection of a member; providing for the staffing for the Council; requiring the Council to advise the Smart Growth Subcabinet on certain issues; requiring the Council to inform the Governor and the General Assembly of issues concerning the implementation of smart growth policies; requiring the Council to hold certain public meetings and to conduct certain public hearings; providing that a member of the Council may not receive compensation as a member of the Council; requiring the Council to make an annual report to the Governor and the General Assembly; requiring the Smart Growth Subcabinet to work with the Council to resolve certain local government issues; defining a term; correcting a certain cross-reference; and generally relating to the Maryland Smart Growth Advisory Council.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1406  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 9–1501 to be under the new subtitle “Subtitle 15. Maryland Smart Growth Advisory Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 923 – Delegates Lafferty, Beidle, Bromwell, Clippinger, Cluster, Holmes, Morhaim, Niemann, and Summers**

AN ACT concerning

**Property Tax Credit – Neighborhood Conservation Act of 2012**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain owner–occupied, residential real property in certain designated areas; providing for eligibility criteria for the credit; specifying the years in which properties must be purchased to be eligible for the credit; requiring the governing body to designate certain geographic areas as neighborhood conservation areas for purposes of the credit; requiring the disclosure of certain annual information to individuals who qualify for the property tax credit; requiring a county or municipal corporation to provide certain reports to the General Assembly on or before certain dates; providing for the application of this Act; and generally relating to property tax credits for certain owner–occupied, residential real property in certain designated areas.

BY adding to

Article – Tax – Property

Section 9–255

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 924 – Delegate Beitzel**

AN ACT concerning

**Vehicle Laws – Local Authority – Use of Highways by Snowmobiles**

FOR the purpose of altering the authority of local jurisdictions to designate a portion of a highway for snowmobile use to facilitate access between trails by repealing

the requirement that the snowmobile trails accessed be designated by the Department of Natural Resources; making certain technical corrections; and generally relating to the authority of local jurisdictions over the use of highways by snowmobiles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 25–102(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 925 – Delegates Weir and Minnick**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Video Lottery Terminals – Expansion to Alcoholic Beverages Licensed Establishments and Fraternal Organizations**

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the State to issue video lottery operation licenses to holders of alcoholic beverages licenses and to certain nonprofit fraternal organizations; altering the number of video lottery terminals that may be authorized in the State; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XIX – Video Lottery Terminals  
Section 1

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 926 – Delegates Krebs, Elliott, Ready, and Stocksdale**

AN ACT concerning

#### **Courts and Judicial Proceedings – Testimony by Convicted Perjurer**

FOR the purpose of establishing an exception to a certain prohibition on a person convicted of perjury testifying in a proceeding for a person whose testimony relates to events in which the person is an alleged victim; and generally relating to testimony by a convicted perjurer.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 9–104  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 927 – Calvert County Delegation**

AN ACT concerning

#### **Calvert County – Electronic Bingo**

FOR the purpose of authorizing an entity in Calvert County that is licensed to offer electronic or instant bingo under a commercial bingo license on a certain date or an entity that is a certain qualified organization to continue to operate a game of electronic or instant bingo under certain circumstances; requiring the State Lottery Commission to establish certain procedures and regulations relating to electronic bingo machines in Calvert County; specifying the manner of distribution of revenue from the State admissions and amusement tax on electronic bingo or electronic tip jars in Calvert County; imposing a certain State admissions and amusement tax rate on certain net proceeds from a certain machine, apparatus, or device; specifying the maximum rate of the Calvert County admissions and amusement tax applicable to net proceeds derived from electronic bingo or electronic tip jars; specifying the maximum rate of the admissions and amusement tax of any municipal corporation that is applicable to net proceeds derived from electronic bingo or electronic tip jars; providing for the termination of this Act; and generally relating to electronic bingo in Calvert County.

BY adding to

Article – Criminal Law  
Section 12–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 9–1B–01 to be under the new subtitle “Subtitle 1B. Electronic Bingo in Calvert County”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–202(a) and 4–105(a–1)  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 2–202(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 928 – Delegate Weir**

AN ACT concerning

#### **Video Lottery Terminals – Increase in Number of Terminals and Licensees**

FOR the purpose of increasing the number of video lottery operation licenses and video lottery terminals that may be awarded by the Video Lottery Facility Location Commission; authorizing the awarding of video lottery operation licenses to holders of certain alcoholic beverages licenses in the State; limiting the number of video lottery terminals that may be operated in one licensed establishment; authorizing the Commission to replace certain video gaming devices with video lottery terminals; making this Act contingent on the passage and ratification of a certain constitutional amendment; requiring the Commission to adopt certain regulations; and generally relating to the operation of video lottery terminals in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–05(a) and 9–1A–36(f), (g), and (q)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 9–1A–05(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 929 – Delegates Stein, Frush, and Niemann**

AN ACT concerning

#### **Environment – Recycling Rates and Waste Diversion – Statewide Goals**



FOR the purpose of altering certain dates by which certain counties must include and implement certain recycling and waste diversion goals in certain plans; increasing certain recycling and waste diversion goals that must be included in certain plans; establishing certain waste diversion and recycling goals; authorizing certain goals to be met through cooperative efforts of certain parties; repealing certain obsolete language; and generally relating to recycling and waste diversion goals in county water and sewerage plans.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–505(a)(18) and (19) and (c), 9–1704, and 9–1706  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1706.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 930 – Delegates Proctor, Vallario, Anderson, Aumann, Beitzel, Bohanan, Clagett, Gutierrez, Guzzone, Haynes, Hucker, James, Jones, K. Kelly, McConkey, Mitchell, Mizeur, B. Robinson, Sophocleus, Stocksdale, Stukes, Valderrama, Washington, Wood, and Zucker**

AN ACT concerning

**Correctional Services – Correctional Officer – Emergency Suspension  
Rescinded**

FOR the purpose of providing that a State correctional officer who receives an emergency suspension without pay after being charge with a felony and who is not convicted of the felony shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored; and generally relating to the rights of a State correctional officer.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 10–913  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 931 – Delegates Clagett, Barkley, Beitzel, Bohanan, Bromwell, Cluster, DeBoy, Hogan, James, K. Kelly, Kipke, Krebs, Minnick, B. Robinson, Schulz, Stocksdale, and Wood**

AN ACT concerning

**Department of Planning – State Development Plan – Approval by the General Assembly**

FOR the purpose of requiring the Secretary of Planning to submit a State Development Plan to the General Assembly; prohibiting a certain Plan from being finalized until the Plan is approved by an Act of the General Assembly; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or a revision to the Plan, together with any comments made by the Governor after enactment of a law that approves the Plan; providing that, unless the Plan in existence on a certain date is modified or approved by an Act of the General Assembly on or before a certain date, the Plan may not have any force or effect; and generally relating to the approval of the State Development Plan by the General Assembly.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 5–601  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–605  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 932 – Delegate Clagett**

AN ACT concerning

**Department of Planning – State Development Plan – Denial of Projects, Permits, Approvals, or State Funding**

FOR the purpose of prohibiting the State Development Plan from being used to create or establish a new cause for State denial of certain projects, permits, or approvals or to deny certain State funding; and generally relating to the State Development Plan.

BY adding to

Article – State Finance and Procurement  
Section 5–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 933 – Delegates Hixson, Cardin, Howard, Ivey, Kaiser, Luedtke,  
A. Miller, Ross, Stukes, Summers, F. Turner, and Walker**

AN ACT concerning

**Sales and Use Tax – Tax-Free Periods – University and College Textbooks**

FOR the purpose of designating certain periods each year to be tax-free periods during which an exemption from the sales and use tax is provided for the sale of certain textbooks purchased by certain individuals; defining a certain term; and generally relating to sales and use tax-free periods for the sale of university and college textbooks.

BY adding to  
Article – Tax – General  
Section 11–232  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 934 – Delegate Frush**

AN ACT concerning

**Residential Real Property – Landlord and Tenant – Procedures for  
Conducting Eviction**

FOR the purpose of requiring, notwithstanding any other law, rule, or practice, a sheriff, a constable, or any other law enforcement officer to be present when a warrant of eviction to remove personal property from certain premises or to exclude others from access to or use of the premises is executed; making conforming changes; and generally relating to procedures for conducting a residential rental property eviction.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–401(d)(1)(i), 8–402(b)(2), and 8–402.1(b)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 935 – Delegate Stein**

AN ACT concerning

**Real Property – Commercial Buildings – Energy Usage**

FOR the purpose of requiring the landlord of a certain privately owned commercial building to provide energy usage information to a certain prospective tenant under certain circumstances; authorizing a landlord to refuse to provide energy usage information for security reasons; establishing a certain penalty; providing for the application of this Act; providing for a delayed effective date; and generally relating to the disclosure of utility costs for commercial buildings.

BY adding to

Article – Real Property

Section 8–801 through 8–803 to be under the new subtitle “Subtitle 8. Energy Usage in Commercial Buildings”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 936 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates Healey, Kach, Kaiser, A. Kelly, B. Robinson, and Sophocleus**

AN ACT concerning

**Task Force on the Establishment of a Statewide Spay/Neuter Fund – Sunset Extension**

FOR the purpose of altering the date by which the Task Force on the Establishment of a Statewide Spay/Neuter Fund is required to report its findings and legislative recommendations to the Governor and certain committees of the General Assembly; extending the termination date of the Task Force; and generally relating to the Task Force on the Establishment of a Statewide Spay/Neuter Fund.

BY repealing and reenacting, with amendments,

Chapter 266 of the Acts of the General Assembly of 2011

Section 1 and 2

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 937 – Delegates George, Costa, Kipke, Love, and Schuh**

AN ACT concerning

**Creation of a State Debt – Annapolis Historic District – Sprinkler Assistance Revolving Fund**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Economic Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 938 – Delegates Tarrant, Branch, Glenn, Harrison, Mitchell, Oaks, and Stukes**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Licensed Premises – Extended Hours**

FOR the purpose of authorizing in Baltimore City certain premises, equipped with certain kitchen facilities and utensils and for which a Class B–D–7 license and an adult entertainment license have been issued, to continue certain operations after a certain time; prohibiting a patron from consuming alcoholic beverages after a certain time; specifying a certain fee; making a certain technical correction; and generally relating to the sale of alcoholic beverages in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 11–304(d) and 11–305(b)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 11–305(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 939 – Delegates Frush, Pena–Melnyk, and Barnes**

AN ACT concerning

**Motor Vehicle Combinations – Use on Maryland Route 212 Prohibited**

FOR the purpose of prohibiting certain motor vehicle combinations designed and used for certain purposes and totaling a certain length from using Maryland Route 212 in Prince George’s County; and generally relating to prohibiting certain motor vehicles from using Maryland Route 212 in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 940 – Delegates Stein, Bobo, Cane, Carr, Gilchrist, Holmes,  
Hucker, Morhaim, and Weir**

AN ACT concerning

**Maryland Building Performance Standards – Hotels – Mandatory Master  
Control Device**

FOR the purpose of authorizing the Department of Housing and Community Development to adopt certain standards that are more stringent than standards in the International Building Code; requiring that guest rooms in newly constructed hotels be equipped with a certain device that turns off lighting fixtures after a certain period of time; authorizing the required device to control heating, ventilation, or air conditioning default settings in a certain manner; requiring the Department to adopt certain provisions of law as a part of the Maryland Building Performance Standards; providing for the application of this Act; defining certain terms; and generally relating to requirements for energy conservation devices in hotels under the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–503  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 12–510

Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 941 – Delegates Ross, Huckler, Arora, Barnes, Bobo, Braveboy, Carr, Cullison, Frush, Gaines, Glenn, Healey, Holmes, Hubbard, Kaiser, Luedtke, A. Miller, Murphy, Niemann, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, V. Turner, Walker, and Washington**

AN ACT concerning

**Maryland Business Tax Fairness Act**

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; requiring, subject to regulations of the Comptroller, certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; requiring the Comptroller to adopt certain regulations; requiring certain regulations to be consistent with certain regulations adopted by the Multistate Tax Commission; defining certain terms; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY adding to

Article – Tax – General  
Section 10–402.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–811  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 942 – Delegates Vallario, Alston, Dumais, Simmons, Valentino–Smith, Waldstreicher, and Wilson**

AN ACT concerning

**Criminal Procedure – Sex Offender Registration Requirements – Kidnapping**

FOR the purpose of altering the offenses for which a person can be required to register on a certain registry; providing for the application of this Act; and generally relating to sex offender registration requirements and the crime of kidnapping.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 943 – Delegate Barve**

AN ACT concerning

#### **Income Tax Credit – Qualified Research and Development Expenses – Small Business Refund**

FOR the purpose of defining “small business” as it relates to a certain refund in connection with a certain credit against the State income tax for certain research and development expenses incurred by an individual or corporation; altering the total amount of research and development credits that the Department of Business and Economic Development may approve in a calendar year; providing that certain unused credits by a small business may be claimed as a refund; providing for the application of this Act; and generally relating to certain credits against the State income tax based on certain expenses paid or incurred for certain research and development conducted in the State.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–721  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 944 – Delegates Frush, Hubbard, and B. Robinson**

AN ACT concerning

#### **Vehicle Laws – Speed Monitoring Systems – Enforcement**

FOR the purpose of authorizing certain persons to sign a statement that alleges, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; authorizing certain persons to swear to and affirm for evidentiary purposes, based on



inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; and generally relating to the enforcement of highway speed laws using speed monitoring systems.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–809(a)(1) and (2) and (b)(1)(i) and 21–810(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809(d)(1) and (e)(1) and 21–810(d)(1) and (e)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 945 – Delegates Frush, Healey, Hubbard, McDonough,  
B. Robinson, and Sophocleus**

AN ACT concerning

### **Vehicle Laws – Registration Restrictions**

FOR the purpose of requiring the Motor Vehicle Administration to notify in writing at certain times an owner of a vehicle registered in the State of any restriction placed on the registration of the vehicle and the reason for the placement of the restriction; requiring the Administration to notify immediately in writing an owner of a vehicle registered in the State of any rescission of a restriction on the vehicle's registration; clarifying that the Administration is required to refuse to register or transfer the registration of a vehicle if the vehicle registration is subject to certain restrictions; and generally relating to vehicle registration restrictions.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–406 and 26–305  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 946 – Delegates A. Miller, Carr, Kaiser, and S. Robinson**

AN ACT concerning

**Bicycles, Play Vehicles, and Unicycles – Riding on Sidewalks**

FOR the purpose of repealing, under certain circumstances, a certain restriction on riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area; and generally relating to riding bicycles, play vehicles, and unicycles on sidewalks.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–104 and 21–101(m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker**

AN ACT concerning

**Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance**

FOR the purpose of repealing a restriction that limits to a certain calendar year the use of certain Purse Dedication Account funds for operating assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum of a certain number of live racing days at each of these race courses; authorizing the use of certain revenues from the Purse Dedication Account for certain operating expenses at certain racetracks; placing certain conditions on the receipt of certain grants from the Purse Dedication Account; requiring certain racing licensees to provide certain information to the Secretary under certain circumstances; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the use of Purse Dedication Account funds by the Ocean Downs Race Course and Rosecroft Raceway for operating assistance.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–28(e), (f), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–28(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY renumbering  
Article – State Government  
Section 9–1A–28(g) and (h), respectively  
to be Section 9–1A–28(i) and (j), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

BY adding to  
Article – State Government  
Section 9–1A–28(g) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 948 – Delegates Mizeur, Barkley, Braveboy, Frush, Glenn, Howard, Ivey, Ross, Summers, Waldstreicher, and Washington**

AN ACT concerning

### **Prevailing Wage Enforcement Act**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to collect and retain a certain civil penalty rather than have the penalty paid into the General Fund; requiring a contractor to pay certain liquidated damages for late submission of payroll records to a certain division in the Department and not to the General Fund; requiring a contractor to pay certain liquidated damages for failing to pay a certain laborer or employee the prevailing wage to a certain division in the Department and not to the General Fund; requiring a person found to have made a certain false or fraudulent representation or omission regarding a prevailing wage payroll record to pay a penalty to a certain division in the Department and not to the General Fund; and generally relating to the prevailing wage rates for public work contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–219, 17–220, 17–222, and 17–224(f)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–221  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 949 – Delegates Rosenberg, Alston, Anderson, Arora, Aumann, Barnes, Bobo, Branch, Braveboy, Burns, Cane, Carr, Carter, Conaway, Cullison, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melynk, Pendergrass, Proctor, Reznik, B. Robinson, S. Robinson, Ross, Simmons, Stukes, Summers, Tarrant, V. Turner, Valderrama, Valentino–Smith, Vaughn, Washington, and Zucker**

AN ACT concerning

**Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims**

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that in certain cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount for the State Victims of Crime Fund; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing  
Article – Correctional Services  
Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing

## Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108, and 11–404

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b), 7–107(b), and 11–916

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing

## Article – Criminal Law

Section 2–103(h), 2–202, 2–301, 2–303; and 2–401 and the subtitle “Subtitle 4. Review by Court of Appeals”

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Criminal Law

Section 2–201(b), 2–304(a), 2–305, and 14–101

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Health – General

Section 8–505(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

## Article – Transportation

Section 16–812(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 950 – Delegates Barve, Conway, Gaines, and Kramer**

AN ACT concerning

**Renewable Portfolio Standard – Solar – Small Solar On–Site Generators and  
Solar Water Heating Systems**

FOR the purpose of requiring that a certain percentage of the renewable energy portfolio standard for solar be from certain small solar on–site generators under certain circumstances; requiring an electricity supplier to purchase solar renewable energy credits from certain small solar on–site generators each year before purchasing solar renewable energy credits produced from other generating facilities in order to meet a certain requirement; providing that, if an electricity supplier provides certain documentation to the Public Service Commission, the electricity supplier may use solar renewable energy credits from generating facilities other than small solar on–site generators to fulfill a certain requirement; requiring an electric company to purchase certain electricity generated by a small solar on–site generator under certain circumstances; providing that a certain small solar on–site generator owns and has title to any renewable energy credit associated with electricity sold to an electric company under certain circumstances; defining a certain term; altering the definition of a certain term; and generally relating to solar energy and the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–701(k–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701(k–1) and 7–703  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 951 – Delegates V. Turner, Valderrama, and Walker**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Forest Heights Town  
Hall Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$130,000, the proceeds to be used as a grant to the Mayor of the Town of Forest Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 952 – Delegates A. Miller, S. Robinson, and Washington**

AN ACT concerning

**State Personnel – Teleworking – Eligibility**

FOR the purpose of stating a certain policy of the State regarding certain telework programs; providing that this Act applies to all employees in the Executive Branch of State government; requiring certain supervisors to approve certain requests to telework under certain circumstances; requiring certain supervisors to provide certain State employees certain information in writing; and generally relating to State personnel and eligibility to telework.

BY adding to

Article – State Personnel and Pensions

Section 2–308

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 953 – Delegates Proctor and Vallario**

AN ACT concerning

**Creation of a State Debt – Charles County – Heritage House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the African American Heritage Society of Charles County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 954 – Delegates Kipke, Afzali, Boteler, Eckardt, Elliott, Frank, George, Kach, Krebs, McComas, McConkey, Norman, Ready, Schulz, Stocksdale, and Szeliga**

AN ACT concerning

**Health Care Decisions Act – Petitions by Surrogates – Court Actions**

FOR the purpose of authorizing a court to take certain actions if the court finds by a certain standard and on the petition of a certain individual that a certain decision by the health care agent of a patient violates the patient's advance directive or the wishes of the patient determined in accordance with certain standards; providing that certain individuals may not be denied access to a certain patient's medical records for certain purposes; requiring the court to ensure that certain individuals are allowed to have certain visitation rights; requiring a court to require the provision of life-sustaining procedures for a certain patient during the pendency of a certain action; and generally relating to court actions relating to petitions by surrogates under the Health Care Decisions Act.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–612  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 955 – Delegates Rosenberg and Oaks**

AN ACT concerning

**Lead Poisoning – Affected Property – Window Replacement**



FOR the purpose of altering the modified risk reduction standard that owners of affected properties are required to satisfy under certain circumstances; altering the circumstances under which an owner of affected property must satisfy the modified risk reduction standard; and generally relating to lead poisoning prevention.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–819  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 956 – Delegates Gutierrez, Carr, Carter, Cullison, Frush, Glenn, Howard, Huckler, Ivey, Nathan–Pulliam, Pena–Melnik, B. Robinson, S. Robinson, Ross, Stukes, and Washington**

AN ACT concerning

#### **Income Tax – Capital Gains**

FOR the purpose of providing for an additional Maryland individual income tax rate on net capital gains for individuals; repealing an obsolete provision; providing for the application of this Act; and generally relating to the Maryland income tax and capital gains income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 957 – Delegates Cullison, Bromwell, Frank, Kach, A. Kelly, Krebs, Luedtke, Murphy, Oaks, Reznik, Tarrant, and V. Turner**

AN ACT concerning

#### **Health Occupations – Public Disclosure of Professional Credentials**

FOR the purpose of requiring certain advertisements for health care services to identify and fully spell out the license or certification of certain health care practitioners; prohibiting a certain advertisement from being misleading; specifying what constitutes a misleading advertisement under this Act; requiring certain health care practitioners to disclose the practitioner's

licensure or certification by wearing a certain identification tag; providing for the application of a certain provision of this Act; providing that health care practitioners that fail to comply with certain provisions of this Act are subject to certain disciplinary actions; authorizing the appropriate regulatory board to investigate an alleged violation of certain provisions of this Act; requiring certain regulatory boards to adopt certain regulations; prohibiting a physician from making certain representations to the public under certain circumstances; altering the authority of a physician to advertise; defining certain terms; and generally relating to the public disclosure of professional credentials by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–701 through 1–705 to be under the new subtitle “Subtitle 7. Public Disclosure of Professional Credentials”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–503

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 958 – Delegates Rosenberg and Haynes**

AN ACT concerning

#### **Family Investment Program – Couples Advancing Together Pilot Program**

FOR the purpose of requiring the Secretary of Human Resources to establish the Couples Advancing Together Pilot Program in the Department of Human Resources; requiring the Program to be established in at least a certain number of counties in the State; requiring the Secretary to cooperate with certain local directors of social services and to consult with the Commission on Responsible Fatherhood regarding the establishment of the Program; establishing the intent of the Program; providing for the components of the Program including the implementation of certain policies and procedures in certain local departments, the development of a certain referral process or certain integrated partnerships for certain couples, and the implementation of certain program requirements; establishing certain age requirements for eligibility to participate in the Program; requiring the Secretary to submit a certain annual report to the Senate Finance Committee and the House Appropriations Committee; providing for the contents of the annual report; defining a certain term; providing for the

termination of this Act; and generally relating to the Couples Advancing Together Pilot Program and the Family Investment Program.

BY adding to

Article – Human Services

Section 5–318.1

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 959 – Delegates Barve, Branch, and Luedtke**

AN ACT concerning

**Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption**

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent partnership or limited liability company and its subsidiary or between subsidiaries wholly owned by the same parent partnership or limited liability company under certain circumstances; exempting from the recordation tax and the State transfer tax the transfer of real property between a subsidiary partnership or limited liability company and its parent under certain circumstances; and generally relating to exempting certain transfers of real property between related partnerships or limited liability companies from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–108(p) and 13–207(a)(9)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 960 – Delegate Niemann**

AN ACT concerning

**Real Property – Condominiums – Delinquency in Payments – Utility Service**

FOR the purpose of authorizing a council of unit owners to petition the District Court to take a certain action against a unit owner who is delinquent in payments to the council of unit owners from which bills for utility service are paid by the council of unit owners under certain circumstances; defining a certain term; and

generally relating to delinquency in payments and utility service in condominiums.

BY adding to

Article – Real Property

Section 11–108.2

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 961 – Delegates Pena–Melnyk, Anderson, Costa, Cullison, Donoghue, Hubbard, Kach, A. Kelly, Lee, Murphy, Nathan–Pulliam, Oaks, Reznik, Rosenberg, and Tarrant**

AN ACT concerning

**Maryland Medical Assistance Program – Subrogation – Reduction**

FOR the purpose of requiring under certain circumstances that the amount for which the Department of Health and Mental Hygiene has a right of subrogation for health care benefits or services paid or payable on behalf of a Maryland Medical Assistance Program recipient be reduced by a certain amount related to the amount of certain attorney's fees incurred by the Program recipient; specifying that the amount for which the Department has a right of subrogation may not be reduced beyond a certain percentage; repealing a certain provision of law granting certain immunity to the Department; repealing a certain provision of law relating to a deduction of certain fees and certain costs from certain money received by a Program recipient; authorizing the Department to compromise or settle and release certain subrogation claims under certain circumstances; and generally relating to the Maryland Medical Assistance Program and subrogation claims.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–120

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 962 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Conaway, Glenn, Oaks, B. Robinson, and Tarrant**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Video Lottery Facility and Video Lottery Concessionaire Licenses**

FOR the purpose of creating in Baltimore City a Class BWL–VLF (video lottery facility) beer, wine and liquor license and a Class BWL–VLC (concessionaire) beer, wine and liquor license; exempting the video lottery facility license and the concessionaire license from certain fees; specifying that the Board of Liquor License Commissioners may issue a video lottery facility license for a video lottery facility that contains one or more food service facilities, bars, or lounges; specifying that a video lottery facility license may be issued to an individual or entity that meets certain requirements; providing that an applicant for the license need not meet a location, voting, or residency requirement; providing that the video lottery facility license authorizes the licensee to sell beer, wine, and liquor by the drink and by the bottle on the premises of the video lottery facility, for consumption anywhere in the facility or on grounds controlled by the licensee as defined in the video lottery facility license; authorizing the Board to issue a concessionaire license to one or more concessionaires operating in a video lottery facility; authorizing a concessionaire licensee to sell beer, wine, and liquor on the premises of the concessionaire for consumption anywhere in the video lottery facility or on grounds controlled by the video lottery facility licensee as defined in the video lottery facility license; specifying certain fees; specifying that an off–sale privilege is not conferred by a video lottery facility license or a concessionaire license; authorizing that beer, wine, and liquor purchased under a video lottery facility license or a concessionaire license may be taken anywhere in a video lottery facility or on grounds controlled by the video lottery licensee; specifying that a video lottery facility license and a concessionaire license authorize the playing of music and dancing; specifying certain days and hours of sale for the video lottery facility and concessionaire licenses; specifying that video lottery facility and concessionaire licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with this Act; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and video lottery facilities in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(d)(6)

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(d–1)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 963 – Delegate Dumais**

AN ACT concerning

**Estates and Trusts – Appeal from Orphans’ Court and Jurisdiction of Circuit Court**

FOR the purpose of repealing certain provisions authorizing a party to appeal from a final judgment of an orphans’ court to the Court of Special Appeals; requiring an appeal to a circuit court from a final judgment of an orphans’ court to be heard on the record made in the orphans’ court rather than be heard de novo; providing that certain parties may elect to file certain cases in, or transfer certain cases to, a circuit court; making conforming changes; providing for the application of this Act; and generally relating to appeals from an orphans’ court and jurisdiction of a circuit court under certain circumstances.

BY repealing

Article – Courts and Judicial Proceedings  
Section 12–501  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 12–502  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Estates and Trusts  
Section 11–112  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 964 – Delegates Washington, Anderson, Clippinger, Frush, Love, A. Miller, B. Robinson, S. Robinson, and Smigiel**

AN ACT concerning

**Labor and Employment – User Name and Password Privacy Protection**

FOR the purpose of prohibiting an employer from requesting or requiring that an employee or applicant disclose any user name, password, or other means for accessing a personal account or service through certain electronic communications devices; prohibiting an employer from taking, or threatening to take, certain disciplinary actions for an employee's refusal to disclose certain password and related information; prohibiting an employer from failing or refusing to hire an applicant as a result of the applicant's refusal to disclose certain password and related information; defining certain terms; and generally relating to employment and privacy protection.

BY adding to

Article – Labor and Employment

Section 3–712

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 965 – Delegates Barve and Branch**

AN ACT concerning

#### **Income Tax Credit – General Services Administration Schedules Program – Preparation Expenses**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax in a certain amount for qualified preparation expenses related to certain General Services Administration program applications and contract proposals; providing that the credit may not exceed the State income tax for the taxable year and that any unused credit may not be carried over to any other taxable year; requiring the Comptroller to report certain information regarding the credit to the Governor and the General Assembly each year; providing for the application of this Act; defining certain terms; and generally relating to an income tax credit for preparation expenses related to certain General Services Administration programs.

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 966 – Delegates McDermott, Eckardt, Haddaway–Ricchio, and Otto**

AN ACT concerning

**Wicomico County – Board of Education – Selection of Members – Straw Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Wicomico County at the November general election of 2012 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Wicomico County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Wicomico County.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 967 – Delegates Kach, DeBoy, Donoghue, Elliott, and Wood**

AN ACT concerning

**Pregnancy Outcomes – Confidential Statistical Reporting Requirements**

FOR the purpose of requiring certain hospitals and facilities to report pregnancy terminations to the Department of Health and Mental Hygiene; requiring a certain report completed by a hospital or facility to meet certain requirements and to include certain information; requiring certain physicians to submit a certain report to the Department within a certain period of time; requiring the Department to submit a certain annual report to the Governor and General Assembly; providing that certain reports required under this Act are not public records and are confidential; providing for certain penalties; requiring the Department to adopt certain regulations; authorizing the State Board of Physicians to provide for certain disciplinary action for a licensee who violates certain provisions of this Act; and generally relating to the reporting of pregnancy terminations.

BY adding to

Article – Health – General

Section 20–217 to be under the new part “Part V. Reporting Requirements”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–404(a)(40) and (41)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–404(a)(42)

Annotated Code of Maryland



(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 968 – Delegates Vitale, Eckardt, George, Kipke, McConkey, and Schuh**

AN ACT concerning

**District Court Commissioners – Possession of Handguns on District Court Premises**

FOR the purpose of prohibiting any restriction against a commissioner carrying a handgun on District Court premises if the commissioner has a certain valid handgun permit; and generally relating to the possession of handguns by commissioners.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–607  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 969 – Delegates Vitale, Beidle, Eckardt, George, Love, and McConkey**

AN ACT concerning

**Income Tax – Credit to Businesses for Employment**

FOR the purpose of allowing a credit against the State income tax for an employer that experiences a decline in revenue and does not terminate any employees; requiring the employer to submit a certain application with certain information; requiring the Comptroller to approve or deny an application within a certain number of days; requiring the Comptroller to issue a credit certificate under certain circumstances; providing for the amount of the credit; authorizing an employer to carry forward any unused amount of the credit; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to a credit for certain employers that do not terminate employees.

BY adding to  
Article – Tax – General  
Section 10–731

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 970 – Delegates Vitale, Beidle, Eckardt, George, Holmes, Kipke, Lafferty, Love, McConkey, and Schuh**

AN ACT concerning

**Property Tax Credit – Commercial Revitalization Districts**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain property that is attributable to certain physical improvements; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit, eligibility criteria for the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to a local property tax credit for certain property located in commercial revitalization districts.

BY adding to

Article – Tax – Property  
Section 9–255  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 971 – Delegates Dumais, Anderson, Glenn, Lee, and Love**

AN ACT concerning

**Peace Order or Protective Order Petition – Respondent’s Address**

FOR the purpose of altering the information required of a person filing a petition for a peace order or a protective order to include, if known, the home or business address of the respondent; and generally relating to peace orders or protective orders.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–1503(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 972 – Delegates Mizeur, Frush, Hixson, Barkley, Barnes, Barve, Bobo, Carr, Clagett, Davis, Donoghue, Frick, Gilchrist, Glenn, Gutierrez, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Kaiser, A. Kelly, Lafferty, Lee, Love, Luedtke, McHale, A. Miller, Reznik, Rosenberg, Stukes, Vallario, Waldstreicher, and Washington**

AN ACT concerning

### **Higher Education Workforce Equity Act**

FOR the purpose of providing collective bargaining rights to certain tenured or tenure track faculty, adjunct faculty, and graduate students at certain public institutions of higher education; altering certain exceptions to the applicability of provisions of law governing collective bargaining for State employees; establishing separate collective bargaining units for certain tenured or tenure-track faculty, adjunct faculty, and certain graduate students; defining certain terms; altering a certain definition; and generally relating to collective bargaining for employees of public institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–101, 3–102, and 3–403(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 973 – Delegates Mizeur, Carr, Dumais, Feldman, Hixson, Howard, Kaiser, Lee, Luedtke, Pena–Melynk, Valderrama, and Vaughn**

AN ACT concerning

### **Creation of a State Debt – Food and Friends, Inc.**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$155,000, the proceeds to be used as a grant to the Board of Directors of Food and Friends, Inc. for certain development or improvement purposes; providing for

disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 974 – Delegates Proctor and Vallario**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Knights of St. John Woodville School Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Knights of St. John Commandery #373 for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 975 – Delegates Kach, Boteler, and Olszewski**

AN ACT concerning

#### **Income Tax – Subtraction Modification – Forest Conservation and Management Program Expenses**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain amounts paid by individuals for certain expenses incurred with land preservation under the Forest Conservation and Management Program within the Department of Natural Resources; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain amounts paid for certain conservation program–related expenses.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General

Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 976 – Delegates Vitale, Beidle, Eckardt, George, Love, McConkey,  
and Norman**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

FOR the purpose of increasing the amount of a certain property tax exemption for dwelling houses owned by certain blind individuals or surviving spouses of blind individuals; providing for the application of this Act; and generally relating to a certain property tax exemption for blind individuals.

BY repealing and reenacting, with amendments  
Article – Tax – Property  
Section 7–207  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 977 – Delegates Rosenberg and Oaks**

AN ACT concerning

**Environment – Reduction of Lead Risk in Housing – Renovations and  
Repairs**

FOR the purpose of requiring an activity that disturbs more than a certain number of feet of painted surface in certain residential dwellings to pass a certain test for lead–contaminated dust; authorizing the Department of the Environment to administer a certain program consistent with certain federal regulations; requiring the Department to seek authorization to enforce certain federal regulations on or before a certain date; and generally relating to renovations and repairs that disturb lead–based paint.

BY adding to  
Article – Environment  
Section 6–848.3 and 6–848.4  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 978 – Delegates Dumais, Carter, and Clippinger**

AN ACT concerning

**Juvenile Law – Prohibition Against Continued Detention**

FOR the purpose of prohibiting the continued detention, beyond emergency detention, of a child under a certain age, except under certain circumstances; and generally relating to juvenile law.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–01(a) and (n)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–15  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 979 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Annual Financial Report – Filing Date**

FOR the purpose of altering the date by which Calvert County may file its annual financial report for the fiscal year with the Department of Legislative Services; and generally relating to the annual financial report of Calvert County.

BY repealing and reenacting, with amendments,  
Article 19 – Comptroller  
Section 37  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 980 – Delegate Alston**

AN ACT concerning

**County Boards of Education – Children in Home Instruction Programs**

FOR the purpose of altering the definition of “full-time equivalent enrollment” to include certain children participating in a home instruction program in accordance with a certain provision of law; requiring, notwithstanding any other provision of law, a county board of education to count certain children participating in a certain home instruction program in the county’s full-time equivalent enrollment if the parent or guardian of the child agrees to require the child to participate in a certain testing program; requiring a county board to remit a certain amount of money to the parent or guardian of a child receiving home instruction under certain circumstances; requiring a certain parent or guardian to use certain money to purchase educational materials for a certain purpose; defining a certain term; and generally relating to counting children in home instruction programs in full-time equivalent enrollment counts.

BY adding to

Article – Education

Section 4–110

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–202(a)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(6)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 981 – Delegate Alston**

AN ACT concerning

**Juvenile Law – Waiver or Transfer of Jurisdiction – Appeal**

FOR the purpose of establishing that an order of the juvenile court waiving its jurisdiction may be appealed to the Court of Special Appeals within a certain period of time; establishing that an order denying transfer of jurisdiction from a court exercising criminal jurisdiction in a case involving a child to the juvenile court may be appealed to the Court of Special Appeals within a certain period of

time; establishing that an appeal under this Act stays any further proceedings in the case until the appeal is concluded; prohibiting a child from being held in an adult detention facility under certain circumstances; and generally relating to waivers or transfers of jurisdictions of juveniles and appeals.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–06  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–202  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 982 – Delegate Davis**

AN ACT concerning

#### **Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized**

FOR the purpose of authorizing an insurance producer who is licensed to sell health insurance to charge reasonable fees for services related to the administration of a health benefit plan that is sold by the insurance producer to an employer and covers eligible employees of the employer; providing that fees may not be charged by an insurance producer for certain services; requiring an insurance producer to disclose certain information on a certain form and in a certain manner before a fee for administrative services is charged; requiring the disclosure form to be signed by the insurance producer and an authorized representative of the employer and retained by the insurance producer as required by regulations adopted by the Maryland Insurance Commissioner; and generally relating to fees for administrative services provided by insurance producers.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–216(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance



Section 27–216(g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 983 – Delegates Frush and Hubbard**

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities**

FOR the purpose of requiring certain local critical area programs to, with a certain exception, prohibit the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area; providing for the application of this Act; prohibiting a certain application of this Act; and generally relating to a prohibition on the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1808(c)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 984 – Delegates McDermott and Cluster**

AN ACT concerning

**Vehicle Laws – Driving While Impaired by Controlled Dangerous Substance – Penalties**

FOR the purpose of increasing certain penalties for driving or attempting to drive a vehicle while impaired by a controlled dangerous substance; and generally relating to penalties for driving while impaired by a controlled dangerous substance.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–902(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 27–101(k) and (q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 985 – Delegates McConkey and Sophocleus**

AN ACT concerning

**Real Property – Foreclosure Sales – Bid Limitation for Secured Parties**

FOR the purpose of prohibiting a secured party or the secured party's assignee or representative from submitting more than one bid at a foreclosure sale; and generally relating to bid limitations in foreclosure sales.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.5  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 986 – Delegates Alston, Arora, Bobo, Braveboy, Burns, Carter, Davis, DeBoy, Dumais, Eckardt, Frush, Gaines, Glenn, Guzzone, Harrison, Holmes, Howard, Ivey, James, Kaiser, A. Kelly, McDermott, A. Miller, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, B. Robinson, Ross, Smigiel, V. Turner, Valentino–Smith, Vaughn, and Wilson**

AN ACT concerning

**Family Law – Child Support – Age of Majority – Postsecondary Education**

FOR the purpose of altering certain provisions of law defining the age of majority to provide that a person who has attained the age of 18 years and who is enrolled in an institution of postsecondary education has a right to support and maintenance until the first of certain events occurs; defining a certain term; establishing that this Act shall be considered a material change in circumstances for purposes of modifying a child support order issued before the effective date of this Act; and generally relating to child support.

BY repealing and reenacting, with amendments,  
Article 1 – Rules of Interpretation

Section 24  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, and Zucker**

AN ACT concerning

**Stormwater Management – Watershed Protection and Restoration Program**

FOR the purpose of requiring each county and municipality to adopt certain laws or ordinances to establish a watershed protection and restoration program on or before a certain date; exempting a certain county or municipality from the requirements of this Act if the county or municipality has enacted and implemented a certain system of charges in a certain manner by a certain date; requiring a watershed protection and restoration program to include a stormwater remediation fee and a local watershed protection and restoration fund; requiring each county and municipality to maintain and administer a local watershed protection and restoration fund in accordance with this Act; establishing the purpose of a local watershed protection and restoration fund; requiring each county and municipality to collect a stormwater remediation fee in accordance with this Act; requiring each county and municipality to set the amount of a residential stormwater remediation fee in a certain manner; requiring each county and municipality to set the amount of a nonresidential stormwater remediation fee in a certain manner; providing that a stormwater remediation fee is separate from certain other charges; authorizing a county or municipality to reduce a stormwater remediation fee in accordance with certain policies and procedures for a certain purpose; requiring the policies and procedures to include certain items; prohibiting, with certain exception, a county from imposing a stormwater remediation fee on a property located within a municipality; authorizing a municipality to authorize a county to impose a stormwater remediation fee on a property located within a municipality in place of a municipal stormwater remediation fee; requiring each county and municipality to establish a procedure for a property owner to appeal the imposition of a stormwater remediation fee; requiring each county and municipality to determine the method, frequency, and enforcement of the collection of the stormwater remediation fee and to deposit the fee into a local watershed protection and restoration fund; specifying the money to be deposited in a local watershed protection and restoration fund and the uses of the money in the fund; providing that money in a local watershed and restoration fund may not revert or be transferred to the general fund of any county or municipality; requiring each county and municipality to make publicly available a report on certain information; authorizing the Department of the

Environment to adopt certain regulations; defining a certain term; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–201.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 4–202.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 988 – Delegates Waldstreicher and Hucker**

AN ACT concerning

#### **Consumer Protection – Recalls of Consumer Goods – Notice**

FOR the purpose of requiring certain merchants that issue certain customer loyalty cards to consumers to notify a consumer of a recall of any consumer goods sold to the consumer under certain circumstances; requiring the notice to be given at a certain time, using certain information, and in a certain manner; providing that this Act does not require a merchant to seek information about recalls of consumer goods from certain persons or sources or to request or maintain information about certain consumers; providing that this Act may not be construed to confer a private cause of action on any person to enforce this Act; providing that this Act may not be construed to require a merchant to take any action preempted by or in conflict with federal law; defining certain terms; and generally relating to notices of recalls of consumer goods.

BY adding to  
Article – Commercial Law  
Section 14–1324  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 989 – Delegate Luedtke**

AN ACT concerning

**Income Tax – Subtraction Modification – Commuter Expenses**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain commuter expenses of an individual; reducing the amount allowed as a subtraction by a certain amount excluded from federal gross income; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain commuter expenses.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 990 – Delegates Frush, Gaines, Healey, Hubbard, Kaiser, Pena–Melnyk, B. Robinson, and Sophocleus**

AN ACT concerning

**Vehicle Laws – Unattended Motor Vehicle – Exception to Prohibition**

FOR the purpose of creating an exception for the use of a remote keyless ignition system to the prohibition against leaving a motor vehicle unattended under certain circumstances; making certain stylistic changes; and generally relating to the prohibition against leaving a motor vehicle unattended under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 991 – Delegates Rosenberg and Carr**

AN ACT concerning

**Task Force to Study the Renovation and Repair Needs of Senior Homeowners**

FOR the purpose of requiring the Department of Housing and Community Development, with the assistance of the Department of Aging, the Department of Health and Mental Hygiene, and the Department of Human Resources, to create a task force to study methods for identifying and understanding the renovation and repair needs of low-income and limited-income senior homeowners and identifying resources to assist senior homeowners; requiring the task force to consult with and enlist the participation of certain stakeholders; requiring the Department of Housing and Community Development to report on the findings of the task force to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the creation of a task force to study the renovation and repair needs of low-income and limited-income senior homeowners.

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 992 – Delegate Morhaim**

AN ACT concerning

**Intergovernmental Cooperative Purchasing Agreement  
Requirements – Authority to Withhold Funds to Local Entities**

FOR the purpose of requiring certain State and local entities to make certain efforts to determine if another State or local entity is participating in a certain contract before initiating a certain procurement; authorizing that, in certain fiscal years, the secretaries of certain agencies may withhold certain percentages of funds distributed under certain programs to local entities under certain circumstances; and generally relating to cooperative purchasing.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 993 – Delegates Beidle, Gilchrist, Glenn, and Niemann**

AN ACT concerning

**Income Tax – Subtraction Modification – Conversion to Individual Unit  
Utility Metering**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain expenses paid by certain condominium unit owners to convert a condominium from master-metering to individual unit-metering for electricity, gas, or water utilities; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain expenses to convert certain utility metering equipment.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 994 – Delegates Mizeur and Vaughn**

AN ACT concerning

**Maryland Small Business Resources Workgroup**

FOR the purpose of establishing the Maryland Small Business Resources Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Maryland Small Business Resources Workgroup.

Read the first time and referred to the Committee on Economic Matters.

**House Bill 995 – Delegate Niemann**

AN ACT concerning

**Maryland Energy Administration – Sustainable Energy Regulated Entity  
Financing Program**

FOR the purpose of authorizing the Maryland Energy Administration to create a Sustainable Energy Regulated Entity Financing Program to authorize sustainable energy regulated entities to provide residential renewable energy installations and residential energy efficiency measures to residential property owners under certain qualified contracts; stating the intent of the General Assembly; requiring the Administration to manage, supervise, and administer a certain Program; requiring the Administration to adopt certain regulations under certain circumstances; authorizing the Administration to enter into certain contracts; authorizing the Administration to collect certain reasonable fees from sustainable energy regulated entities; authorizing the Administration to authorize certain sustainable energy regulated entities to enter into certain qualified contracts with certain persons, directly bill certain persons, and enforce payment under a certain qualified contract according to certain provisions; authorizing the Administration to limit certain authorizations in a certain manner or to authorize more than one sustainable energy regulated entity to operate in a certain territory or offer certain products; requiring the Administration to perform a certain study before developing and implementing a certain Program; authorizing the Administration to develop and implement a test or pilot program; requiring a qualified contract to meet certain requirements established by the Administration and to require certain actions; requiring the Administration, by regulation or order, to establish certain requirements for a certain qualified contract; prohibiting a certain sustainable energy regulated entity from entering into a certain qualified contract unless certain conditions have been met; authorizing a property owner to subject property to a certain qualified contract by recording or authorizing the recordation of the qualified contract in a certain manner; providing that a person that acquires property subject to a certain qualified contract assumes a certain obligation; authorizing the Administration to revoke a certain authorization if the Administration makes a certain determination; authorizing a certain sustainable energy regulated entity to collect payments that are in arrears under a certain qualified contract, by the imposition of a lien on a certain property in accordance with the Maryland Contract Lien Act; adding a certain qualified contract recorded under a certain provision of law to the definition of a “contract” under the Maryland Contract Lien Act; requiring the Administration to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the Sustainable Energy Regulated Entity Financing Program.

BY adding to

Article – State Government

Section 9–20C–01 through 9–20C–08 to be under the new subtitle “Subtitle 20C.  
Sustainable Energy Regulated Entities”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)



BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–201(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 14–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 996 – Delegates Mizeur, Jameson, and A. Miller**

AN ACT concerning

**Renewable Energy for All Act**

FOR the purpose of establishing the Residential Biomass Heating System Grant Program in the Maryland Energy Administration to provide grants to individuals for a portion of the costs of acquiring and installing eligible biomass heating systems; requiring the Administration to administer the Program, establish certain procedures, and award grants up to a certain amount with existing resources; authorizing the Administration to use certain funds for certain other purposes under certain circumstances; authorizing the Administration to award grants not exceeding certain amounts under the Program; authorizing the Administration to award grants for the cost of acquiring and installing certain eligible nonpellet biomass heating systems only under certain circumstances; authorizing the Administration to award a certain trade-in grant, not exceeding a certain amount, under certain circumstances; authorizing the Administration to provide grant applicants with certain information; and generally relating to the Residential Biomass Heating System Grant Program.

BY adding to  
Article – State Government  
Section 9–2009  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 997 – Delegates Washington, Anderson, Arora, Bobo, Braveboy, Carr, Clippinger, Conaway, Cullison, Davis, Feldman, Frick, Frush,**

**Gaines, Glenn, Howard, Hucker, Jameson, Kaiser, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, B. Robinson, S. Robinson, Rosenberg, Summers, Tarrant, Vaughn, Walker, and Zucker**

AN ACT concerning

**Commercial Law – Rental–Purchase Agreements Best Practices Act**

FOR the purpose of requiring certain annual percentage rates to be disclosed in a rental–purchase agreement; prohibiting certain items from being included in a rental–purchase agreement; altering the circumstances under which a consumer may reinstate a rental–purchase agreement; requiring a reduction in certain payments under certain circumstances; requiring a certain lessor to maintain certain records for a certain period of time; establishing a certain maximum price that may be charged to a consumer under certain circumstances; establishing a certain maximum total amount paid by a certain consumer over a certain period of time; requiring a lessor to provide a written receipt and a written statement to a consumer under certain circumstances; requiring a certain percentage rate to be stated on certain advertisements; authorizing certain attorney’s fees and court costs for a certain violation; providing that a certain violation is an unfair or deceptive trade practice under the Maryland Consumer Protection Act; providing that a rental–purchase agreement is void under certain circumstances; providing for certain penalties if the agreement is void; prohibiting a lessor from bringing a certain court action unless a certain notice is given to the consumer; requiring a rental–purchase agreement to be written in a certain manner; altering a certain form used to satisfy certain disclosure requirements; requiring a bill or invoice sent to a consumer to contain certain information; authorizing the Attorney General’s Office to adopt and enforce certain regulations and bring a certain civil action; requiring the Attorney General’s Office to place certain items on its Web site; altering a certain short title; defining certain terms; altering certain definitions; and generally relating to rental–purchase agreements best practices.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 12–1101, 12–1104 through 12–1107, and 12–1109 through 12–1112

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 12–1102, 12–1103, and 12–1108

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law  
Section 12–1106.1, 12–1110.1, 12–1111.1, and 12–1111.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 998 – Allegany County Delegation**

AN ACT concerning

#### **Counties – Compilations of Local Laws – Copies to State Agencies**

FOR the purpose of authorizing a county to notify certain State agencies that a digital copy of a code or compilation of certain local laws is available as an alternative to depositing or furnishing printed copies of the code or compilation under certain circumstances; altering certain provisions regarding a certain State agency receiving copies of compilations of local laws under certain circumstances; and generally relating to copies of compilations of local laws and State agencies.

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 32A  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25A – Chartered Counties of Maryland  
Section 7  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25B – Home Rule for Code Counties  
Section 12  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 999 – Delegates McDermott, Afzali, Aumann, Boteler, DeBoy, Kach, McDonough, and B. Robinson**

AN ACT concerning

#### **Crimes – Child Abuse and Neglect – Failure to Report**

FOR the purpose of establishing that certain persons who are required to provide certain notice or make certain reports of suspected child abuse or neglect may not knowingly fail to give the notice or make the report; establishing the misdemeanor of the knowing failure to report child abuse or neglect; providing certain penalties for a violation of this Act; and generally relating to child abuse and neglect.

BY adding to

Article – Criminal Law  
Section 3–602.2  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 5–704 and 5–705  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1000 – Delegates Dumais and Simmons**

AN ACT concerning

#### **Civil Action – Wrongfully Selling or Furnishing Alcoholic Beverages**

FOR the purpose of providing that a civil action for certain damages may be brought against an alcoholic beverages licensee or the licensee’s employee under certain circumstances for selling or furnishing alcoholic beverages to an individual who is under a certain age or visibly under the influence of alcoholic beverages and who negligently drives or attempts to drive a motor vehicle after consuming the alcoholic beverages; requiring a trier of fact to determine whether a wrongful sale or furnishing of alcoholic beverages was a proximate cause of certain damages; providing for a certain standard of proof; establishing that an action may not be brought under this Act by certain individuals; providing for the admissibility of certain evidence; providing for a certain period of limitations for bringing an action under this Act; defining certain terms; providing for the application of this Act; and generally relating to certain civil liability for wrongfully selling or furnishing alcoholic beverages under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–1801 through 3–1805 to be under the new subtitle “Subtitle 18.  
Wrongful Sale or Furnishing of Alcoholic Beverages”

Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–105  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1001 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey,  
Kaiser, Luedtke, A. Miller, Ross, Stukes, Summers, and F. Turner**

AN ACT concerning

**Public Library – Essential Community Service – Designation**

FOR the purpose of designating public libraries as providing essential community services during an emergency for certain purposes; and generally relating to public libraries.

BY adding to  
Article – Public Safety  
Section 14–110.2  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1002 – Delegate Luedtke**

AN ACT concerning

**Gaming – Electronic Sweepstakes – Prohibition**

FOR the purpose of altering the definition of “slot machine” to include a machine or an electronic terminal commonly used in conjunction with an electronic sweepstakes; and generally relating to the prohibition of an electronic sweepstakes.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–301  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 12–302  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1003 – Delegate Kach**

AN ACT concerning

#### **State Employee and Retiree Health and Welfare Benefits Program – Benefits**

FOR the purpose of prohibiting the Secretary of Budget and Management, beginning in a certain fiscal year, from including a benefit for in vitro fertilization in the State Employee and Retiree Health and Welfare Benefits Program; requiring the Secretary to use the savings from the elimination of the in vitro fertilization benefit to support a benefit for autism spectrum disorder; requiring the Secretary to consult with the Maryland Health Care Commission in developing the benefit for autism spectrum disorder; and generally relating to benefits under the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 2–501(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–503(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1004 – Delegate Kach**

AN ACT concerning

#### **Medical Assistance Program – Generic Drug Reimbursement Program**

FOR the purpose of requiring the Department of Health and Mental Hygiene to establish a generic drug reimbursement program; requiring the program to establish maximum reimbursement levels for certain generic drug products;

requiring the program to require a manufacturer of a generic drug product in a certain therapeutic classification to submit certain pricing to the Department for review in order for the manufacturer to participate in the Maryland Medicaid Program; prohibiting the cost of a certain generic drug product from being more than a certain cost as determined by the Department; requiring the Department to determine a certain reimbursement rate for generic drugs in a therapeutic classification based on a certain cost; requiring the Department to adopt certain regulations; and generally relating to the establishment of a generic drug reimbursement program in the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–118  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1005 – Washington County Delegation**

AN ACT concerning

#### **Washington County – Tip Jars – Accountability and Oversight**

FOR the purpose of authorizing the County Commissioners of Washington County to require the Washington County Volunteer Fire and Rescue Association to submit certain financial reports; authorizing the county commissioners to adopt certain regulations; authorizing the county commissioners to withhold certain funds under certain circumstances; requiring the Washington County Volunteer Fire and Rescue Association to submit its budget to the county commissioners each year; requiring the county commissioners to accept or reject the budget in a certain manner; expanding the authority of the county commissioners to establish certain procedures; prohibiting certain funds from being used for certain fire and rescue services; and generally relating to the use of certain tip jar gaming proceeds in Washington County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–2435  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1006 – Delegate Jones**

AN ACT concerning

**Baltimore County – Public School Employees – Collective Bargaining Units**

FOR the purpose of altering the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a certain unit of certain employees in Baltimore County; establishing a certain unit of certain employees in Baltimore County; providing for a delayed effective date; and generally relating to collective bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–401(e), 6–404(c), and 6–505(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1007 – Delegates George, Cardin, and Summers**

AN ACT concerning

**Election Law – Campaign Finance Entities – Retention of Records**

FOR the purpose of altering record retention requirements applicable to campaign finance entities by requiring that the account books and related records of a campaign finance entity be preserved until the earlier of a certain number of years after the creation of the record or a certain number of years after the campaign finance entity files a final campaign finance report; and generally relating to record retention by campaign finance entities.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–221  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1008 – Delegate Frush**

AN ACT concerning

**Vehicle Laws – Automotive Dismantlers and Recyclers or Scrap Processors –  
Disposal of Vehicles**



FOR the purpose of establishing an exception to the prohibition against storing certain vehicles on private property; repealing certain provisions of law that authorize certain persons to transfer certain inoperable vehicles to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling certain notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require certain vehicle transferors to execute a certain indemnity agreement; repealing a requirement that an automotive dismantler and recycler or scrap processor possess certain vehicles for a certain period of time before taking certain action; repealing certain provisions authorizing certain persons to transfer certain vehicles under certain circumstances; requiring an automotive dismantler and recycler or scrap processor that takes possession of a vehicle absent an ownership document to provide certain electronic notice to the Motor Vehicle Administration and the Department of State Police in a certain manner; requiring the Department of State Police to perform a stolen vehicle investigation under certain circumstances, provide certain notice of the result of the investigation, and take possession of any vehicle found to be stolen; requiring an automotive dismantler and recycler or scrap processor to give certain notice of intent to dispose of certain vehicles after receiving certain notice from the Department of State Police; establishing certain administrative penalties for certain possession of a stolen vehicle by an automotive dismantler and recycler or scrap processor; and generally relating to the disposal of vehicles by automotive dismantlers and recyclers or scrap processors.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 15–502(c) and 25–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–502(d), 15–509, and 15–514  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Transportation  
Section 25–210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1009 – Delegate Hubbard**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Alcohol and Drug Counselor Trainees – Registry and Code of Ethics Requirements**

FOR the purpose of requiring the State Board of Professional Counselors and Therapists to maintain a certain registry of certain trainees; requiring the Board to adopt a certain code of ethics for certain trainees; and generally relating to maintaining a registry of and adopting a code of ethics for individuals working as trainees under the supervision of approved alcohol and drug counselor supervisors.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 17–205(b)(1) and (3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 17–406(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1010 – Delegates McConkey and Vitale**

AN ACT concerning

**Family Law – Child Support – Definition of Actual Income**

FOR the purpose of excluding certain wages received from overtime work or a second job from the definition of “actual income” for the purposes of calculating child support; and generally relating to child support.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–201(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 12–201(h)  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1011 – Delegates Alston and Vallario**

AN ACT concerning

**Procurement – State Motor Vehicles – Purchase Requirement**

FOR the purpose of requiring that the standards for the purchase of motor vehicles by the State be based on the lowest possible environmental impact of the motor vehicle; requiring the State to purchase electric or electric–hybrid motor vehicles, except under certain circumstances; repealing a certain standard for the purchase of certain motor vehicles; and generally relating to the purchase of electric or electric–hybrid motor vehicles by the State.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1012 – Delegates Pena–Melnyk, Braveboy, and Nathan–Pulliam**

AN ACT concerning

**Ex–Offender Business Development Program Study**

FOR the purpose of requiring the Department of Business and Economic Development, Department of Labor, Licensing, and Regulation, and the Division of Parole and Probation in the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex–offenders and to identify funding sources for certain purposes; requiring the Departments and the Division jointly to report their findings under this Act on or before a certain date; and generally relating to business development for ex–offenders.

Read the first time and referred to the Committee on Judiciary.

**House Bill 1013 – Delegates Rosenberg and Oaks**

AN ACT concerning

**Environment – Lead Poisoning – Primary Prevention Fund**

FOR the purpose of establishing a Lead Poisoning Primary Prevention Fund in the Department of the Environment; providing for the administration of the Fund; requiring the Department to use the Fund for certain purposes; requiring money distributed from the Fund to be in the form of a grant; requiring grants to be administered and distributed by a certain third party; establishing certain eligibility requirements for certain grants; requiring applicants for a grant to be ranked based on a certain order of priority; exempting the Fund from certain provisions of the State Finance and Procurement Article; requiring the Governor to include a certain appropriation in the State budget to the Fund in certain fiscal years; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to lead poisoning primary prevention.

BY adding to

Article – Environment

Section 6–844.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1014 – Delegates Gutierrez, Carr, Cullison, Glenn, Hucker, A. Kelly, A. Miller, Nathan–Pulliam, B. Robinson, S. Robinson, and Stukes**

AN ACT concerning

**State Department of Education – Regulation Adoption Process – Public Input**

FOR the purpose of requiring the State Department of Education to hold public hearings on certain proposed regulations that contain a funding mandate or that will have a significant impact on local school systems; requiring the Department, on certain proposed regulations, to hold a public hearing, make available to the public all written comments received by the Department, and respond to issues raised in the public comments; requiring the Department to provide the State Board of Education with all public comments and the Department responses on certain proposed regulations at least a certain number of months before the proposed regulations will be presented to the Board for final adoption; providing for the applicability of this Act; and generally relating to the regulation adoption process of the State Department of Education.

BY repealing and reenacting, without amendments,

Article – Education

Section 2–106 and 2–205(c)

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 2–107

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 10–111(a)(1) and (3)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1015 – Delegates Cullison, Anderson, Barkley, Barve, Bobo, Carr, Carter, Clagett, Conaway, Elliott, Frush, Gutierrez, Guzzone, Haynes, Hixson, Hubbard, Huckler, Kaiser, A. Kelly, Lee, Luedtke, A. Miller, Nathan–Pulliam, Niemann, Oaks, Pena–Melnik, B. Robinson, S. Robinson, Ross, Stein, Stukes, F. Turner, V. Turner, Washington, and Zucker**

AN ACT concerning

### **Maryland Health Security Act of 2012**

FOR the purpose of establishing the Maryland Health System; specifying the purposes of the Health System; stating a certain intention of the General Assembly; providing that certain residents of the State are members of the Health System and are eligible to receive certain benefits; prohibiting certain health care providers from using preexisting medical conditions to determine the eligibility of a member to receive benefits; prohibiting certain health care providers from refusing to provide services to a member on the basis of certain factors; requiring the Maryland Health System Policy Board to establish a certain package of benefits including certain services to be provided by the Health System; providing that certain coverage may not be subject to co–insurance, deductibles, or co–payments; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate the services covered by the Health System; authorizing a member to choose any participating health care provider; requiring the Health System to make certain reimbursements to certain members; authorizing a participating health care provider to charge a member directly for certain services; prohibiting a participating health care provider from imposing certain charges; requiring the Health System to institute and use an electronic claim and payment system; requiring a participating health care provider to use the

electronic claim and payment system to file claims; providing for certain budgets and payments for certain health care providers; establishing the Maryland Health System Policy Board; specifying the membership of the Health Policy Board and the terms, duties, and powers of the members of the Health Policy Board; establishing the Maryland Health System Administrative Board; specifying the membership of the Administrative Board and the terms, duties, and powers of the members of the Administrative Board; establishing the Maryland Health System Health Needs, Planning, and Improvement Board; specifying the membership of the Health Needs, Planning, and Improvement Board and the terms, duties, and powers of the members of the Health Needs, Planning, and Improvement Board; establishing the Maryland Health Quality Board; specifying the membership of the Health Quality Board and the terms, duties, and powers of the members of the Health Quality Board; establishing the Maryland Health System Patient Advocacy Board; specifying the membership of the Patient Advocacy Board and the terms, duties, and powers of the members of the Patient Advocacy Board; establishing the Maryland Health System Trust Fund; specifying the purposes, contents, and uses of the Fund; establishing the Maryland Health System Fund Board; specifying the membership of the Fund Board and the terms, duties, and powers of the members of the Fund Board; establishing the Maryland Health System Payment Board; specifying the membership of the Payment Board and the terms, duties, and powers of the members of the Payment Board; establishing the Office of the Health Inspector General; specifying the duties of the Health Inspector General; specifying the initial terms of the appointed members of the Health Policy Board; requiring the Department of Health and Mental Hygiene to apply to the Secretary of Health and Human Services for certain waivers from certain federal requirements on or before a certain date; requiring the Health Policy Board to seek certain waivers on or before a certain date; requiring the Health Policy Board to submit a certain report to the Governor and the General Assembly on or before a certain date; providing that negotiated health insurance contributions made by employers on behalf of employees who are working in the State temporarily but who reside outside the State may not be abridged by this Act; defining certain terms; providing for the effective dates of this Act; and generally relating to the Maryland Health System.

BY adding to

Article – Health – General

Section 25–101 through 25–1001 to be under the new title “Title 25. Maryland Health System”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1016 – Delegates Alston, Anderson, Arora, Bates, Bohanan, Braveboy, Burns, Carter, Clagett, Clippinger, Cluster, Conaway,**

**Dumais, Dwyer, Feldman, Frank, Frick, Frush, Gaines, Glenn, Griffith, Hough, Howard, Hucker, Ivey, Kach, A. Kelly, K. Kelly, Kipke, McDermott, McDonough, Niemann, Pena–Melnyk, B. Robinson, Smigiel, Sophocleus, Summers, Tarrant, V. Turner, Valentino–Smith, Vallario, Vaughn, Walker, Washington, and Wilson**

AN ACT concerning

**Higher Education – Tuition Waiver – Children of Law Enforcement Officers Killed in the Line of Duty**

FOR the purpose of waiving tuition and mandatory fees for children of State or local law enforcement officers killed in the line of duty who attend a public institution of higher education under certain circumstances; setting forth the conditions for receiving the waiver; exempting a certain child from paying the difference between certain amounts; providing for the duration of the waiver; requiring the Maryland Higher Education Commission to adopt certain regulations; defining certain terms; and generally relating to a tuition waiver for children of law enforcement officers killed in the line of duty in the State.

BY adding to

Article – Education

Section 15–106.9

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–101(e)

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1017 – Delegate Davis**

AN ACT concerning

**Injured Workers’ Insurance Fund – Conversion to Chesapeake Employers’ Insurance Company**

FOR the purpose of converting the Injured Workers’ Insurance Fund into a statutorily created, private, nonprofit, and nonstock workers’ compensation insurer to be named the Chesapeake Employers’ Insurance Company; requiring the Company to file certain documents and take certain actions before a certain transfer date; providing that the Company has certain powers, privileges, and immunities granted by and is subject to certain provisions imposed on certain insurers;

providing that the Company is a member of the Property and Casualty Insurance Guaranty Corporation; requiring the Company to be an authorized insurer and certain insurer of last resort; specifying the circumstances under which the Company may cancel or refuse to renew or issue a policy; authorizing the Company to engage only in a certain business; establishing the Board for the Chesapeake Employers' Insurance Company; specifying the qualifications and terms of members of the Board; requiring the Board to adopt rules, bylaws, and procedures; authorizing the Board to declare a policyholder dividend in a certain form under certain circumstances; providing that the Company is independent of State government and that the employees of the Company are not State employees and not members of the State Retirement and Pension System; providing that the money of the Company is not part of the General Fund of the State; providing that the State may not budget for or provide General Fund appropriations to the Company; providing that the debts, claims, obligations, and liabilities of the Company are not a debt of the State or a pledge of the credit of the State; requiring the Board to attempt to use minority business enterprises under certain circumstances for certain brokerage and investment management services; requiring the Board to submit a certain report on or before a certain date each year; requiring, on a certain date, that certain functions, powers, duties, assets, property, accounts, liabilities, contracts, and obligations be irrevocably transferred to the Company; prohibiting a certain contract or agreement with the State from being transferred or assigned to the Company until a certain time; prohibiting the Company from being converted to a mutual or stock company or being dissolved; requiring the Fund to serve as a certain insurer of last resort in a certain manner before a certain date; providing that the Fund shall continue to exist on and after a certain date; prohibiting the Fund from issuing certain policies or engaging in a certain business except through the Company on and after a certain date; authorizing the Fund to continue to be a certain third party administrator on and after a certain date; requiring the Company to utilize certain employees; authorizing the Fund to utilize certain employees; requiring the Company and the Fund to execute a certain agreement; prohibiting the Fund from hiring certain employees on and after a certain date; authorizing certain employees to remain employees of the Fund and continue to be State employees on and after a certain date; providing that certain employees of the Fund may not be required to be employees of the Company; authorizing certain employees to make a certain election; providing that members of the Board for the Fund continue to serve a certain term and serve on the Board for the Company under certain terms and conditions; requiring the Board for the Fund to be subject to certain rules, bylaws, and procedures; authorizing the President of the Fund to be the President of the Company; requiring the Fund to remain in existence under certain circumstances; providing for the termination of the Fund; repealing certain provisions relating to the Fund that are obsolete upon the conversion of the Fund to the Company; providing that the Company is the successor of the Fund, the Board for the Company is the successor of the Board for the Fund, and the President of the Company is the successor of the President of the Fund; requiring that certain names and titles of certain



agencies and officials mean the names and titles of the successor agency or official; providing that certain forms and documents may be used by the Company; providing that certain functions, powers, duties, equipment, assets, and liabilities be transferred to the Company on a certain date; providing that compliance with certain provisions of law is not required until a certain time; defining certain terms; stating a certain intent of the General Assembly; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to make certain corrections in the Code; and generally relating to the conversion of the Injured Workers' Insurance Fund to the Chesapeake Employers' Insurance Company.

BY adding to

Article – Insurance

Section 24–301 through 24–311 to be under the new subtitle “Subtitle 3. Chesapeake Employers' Insurance Company” and the amended title “Title 24. State Created Mutual Societies and Other Entities”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 10–101, 10–104, 10–107, 10–109, and 10–113

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Labor and Employment

The part designation “Part I. Definitions” immediately preceding Section 10–101; and Section 10–105, 10–106, and 10–108 and the part “Part II. Fund”; 10–110, 10–111, 10–112, and 10–114 and the part “Part III. Board”; 10–117, 10–118, 10–120, 10–121, 10–122, 10–125, 10–126, and 10–127 and the part “Part IV. Purposes and Administration of Fund”; 10–130, 10–131, 10–132, 10–133, 10–134, 10–135, 10–136, 10–137, and 10–138 and the part “Part V. Insurance Program”; and 10–141 and the part “Part VI. Prohibited Acts; Penalty”

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment

Section 10–103 and 10–107

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1018 – Delegates George, Dumais, Kipke, and McComas**

AN ACT concerning

**Vehicle Laws – Parking for Individuals with Disabilities – Van Accessible Spaces**

FOR the purpose of prohibiting a person from stopping, standing, or parking a motor vehicle in a space designated as disabled van accessible unless the motor vehicle is a van and certain requirements are met; prohibiting a person from stopping, standing, or parking a motor vehicle in a certain access aisle accompanying a disabled van accessible parking space; requiring that a disabled van accessible parking space and the accompanying access aisle be identified in certain manners; establishing a certain penalty for a violation of this Act; and generally relating to disabled van accessible parking spaces.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1006  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, and Walker**

AN ACT concerning

**County Boards of Education – Green Product Cleaning Supplies – Written Policies**

FOR the purpose of requiring a county board of education to adopt certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions; requiring certain county boards to provide certain notice to the State Department of Education under certain circumstances; and generally relating to the establishment of written policies relating to the procurement of green product cleaning supplies by county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1020 – Delegates Frush, Barnes, Barve, Beidle, Bohanan, Bromwell, DeBoy, Frick, Gaines, Guzzone, Healey, Hubbard, Ivey, Kach, A. Kelly, Kipke, Lafferty, Love, McConkey, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, B. Robinson, Ross, Stein, Summers, V. Turner, Valderrama, Valentino–Smith, and Walker**

AN ACT concerning

### **Maryland Animal Abuse Registry**

FOR the purpose of requiring the Department of State Police to establish the Maryland Animal Abuse Registry; requiring the Registry to be updated in a certain manner and to include certain information; requiring a certain person convicted of certain crimes involving animal cruelty to register with the county sheriff within a certain period of time after the conviction; requiring a registrant to provide certain information for registration; requiring the county sheriff to obtain a certain photograph from a person registering under this Act; requiring a registrant to update certain information in a certain manner; establishing that a certain registration shall stay in effect for a certain period of time; requiring the county sheriff to forward certain registration information to the Department of State Police; requiring certain registrants to pay an annual registration fee; requiring a county sheriff to remit certain fees in a certain manner; providing for the funding of the Animal Abuse Registry Fund and how money in the Fund is to be distributed; providing that Registry information is to be made public in a certain manner; providing for an appeal of a certain registration requirement; prohibiting a person subject to registration under this Act from knowingly failing to register or provide accurate information when registering; requiring a certain animal shelter, pet store, or animal breeder in this State to determine whether the name and address of a person seeking to purchase or adopt an animal appears on the Registry; prohibiting a certain animal shelter, pet store, or animal breeder from knowingly offering, selling, delivering, giving, or providing an animal to a person registered on the Registry; establishing penalties for a violation of this Act; defining certain terms; and generally relating to the establishment of an animal abuse registry.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1111 to be under the new subtitle “Subtitle 11.

Maryland Animal Abuse Registry”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1021 – Delegates Kach, Aumann, Boteler, Bromwell, Burns, Cluster, DeBoy, Frank, Impallaria, Jones, Lafferty, Malone, McDonough, Minnick, Morhaim, Nathan–Pulliam, Stein, and Weir**

AN ACT concerning

**Baltimore County – Division of Animal Control – Treatment of Unclaimed  
Dogs or Cats**

FOR the purpose of requiring the Baltimore County Department of Health, Division of Animal Control to make it a priority to place an unclaimed dog or cat in a suitable home; requiring the Division of Animal Control to establish a certain program of volunteers; and generally relating to the treatment of unclaimed dogs or cats by the Baltimore County Department of Health, Division of Animal Control.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–617  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1022 – Delegates K. Kelly, Alston, Anderson, Bromwell, Clippinger, Cluster, Conaway, Dwyer, Elliott, Glass, Glenn, Haddaway–Ricchio, Krebs, McConkey, O’Donnell, Parrott, Ready, Simmons, Stocksdale, Szeliga, Valderrama, Valentino–Smith, and Wood**

AN ACT concerning

**Vehicle Laws – Accidents Resulting in Death – Appearance in Court for  
Traffic Citations**

FOR the purpose of requiring a person who receives a traffic citation with a certain notice for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in a certain writ or trial notice by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1023 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Litter Control Law – Local Ordinance**

FOR the purpose of authorizing the governing body of Calvert County to adopt a certain ordinance to prohibit littering and to impose certain criminal and civil penalties for a violation of the ordinance; and generally relating to the litter control law.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–110

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1024 – Delegates Morhaim, Bobo, Clagett, Dumais, Glenn, Luedtke, Washington, and Weir**

AN ACT concerning

**Medical Marijuana Commission**

FOR the purpose of establishing the Medical Marijuana Commission; providing for the purpose and the membership of the Commission; providing for the terms of the members of the Commission; requiring the Governor to designate the chair of the Commission; providing that a member of the Commission may not receive certain compensation but is entitled to certain reimbursement; authorizing the Commission to employ a certain staff; requiring the Commission to issue a certain request for applications at least annually; requiring a certain application submitted by an academic medical center to include certain information; requiring the Commission to set certain application and renewal fees; requiring the Commission to establish a certain application review process; requiring certain reviewers to review, evaluate, and rate certain applications and to make certain recommendations; authorizing the Commission to grant a certain license; requiring certain academic medical centers to provide certain data on a certain basis to the Department of Health and Mental Hygiene; requiring the Department to make certain data available to law enforcement in a certain manner; providing that an academic medical center operating a certain program may obtain marijuana only from certain sources; subjecting an academic medical center to certain requirements if an academic medical center utilizes caregivers as part of a certain program; requiring certain academic medical centers to provide a certain annual report to the Commission; requiring a certain academic medical center to apply annually to the Commission for a certain renewal in accordance with certain procedures; providing that certain academic medical centers are subject to certain inspection by the Commission;

authorizing the Commission to rescind approval of certain programs under certain circumstances; requiring the Commission to provide a certain report to the Governor and General Assembly on or before a certain date each year; requiring the Department to license medical marijuana growers for a certain purpose; providing that certain entities may provide marijuana only to certain academic medical centers; requiring the Department to establish certain security and manufacturing requirements; authorizing the Department to inspect certain growers; authorizing the Department to impose certain penalties or rescind certain licenses; exempting certain persons from certain penalties when acting in accordance with this Act; providing that a person may not distribute, possess, manufacture, or use certain marijuana; providing for certain penalties; providing for the construction of this Act; defining certain terms; and generally relating to marijuana for medical use.

BY adding to

Article – Health – General

Section 13–3101 through 13–3110 to be under the new subtitle “Subtitle 31.  
Medical Marijuana”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

### **House Bill 1025 – Delegate Frush**

AN ACT concerning

#### **Environment – Radiation Sources – Podiatry Radiation Machines**

FOR the purpose of requiring a State inspector to provide a podiatry office or facility a certain written notice in accordance with certain requirements under certain circumstances; prohibiting the Department of the Environment from imposing a fine on a podiatry office or facility for a certain violation under certain circumstances; providing for the application of this Act; and generally relating to inspections of podiatry radiation machines.

BY repealing and reenacting, without amendments,

Article – Environment

Section 8–301(a) and (b)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 8–301(e)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1026 – Delegates V. Turner, Braveboy, Cane, Costa, Donoghue, Elliott, Frank, Frush, Gaines, Healey, Holmes, Howard, Hubbard, Ivey, Kach, Kipke, Krebs, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Ready, Reznik, B. Robinson, Ross, Rudolph, Summers, Tarrant, F. Turner, Valderrama, Vallario, Vaughn, and Walker**

AN ACT concerning

**Economic Development – Sickle Cell Disease Research Program**

FOR the purpose of establishing the Sickle Cell Disease Research Program to be administered by the Maryland Technology Development Corporation to provide grants for certain sickle cell disease research projects; establishing the purposes of the Program; establishing the Sickle Cell Disease Research Fund in the Corporation; providing for the purpose and composition of the Fund; requiring the Executive Director of the Corporation or the Executive Director’s designee to administer the Fund; requiring the State Treasurer to invest money in the Fund; providing that earnings of the Fund shall be credited to the Fund; establishing certain types of grants to be awarded under the Program; requiring the Corporation to adopt certain regulations; requiring the Corporation to include certain information in a certain report to the Governor and General Assembly; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the creation of a program for sickle cell disease research.

BY adding to

Article – Economic Development

Section 10–454 through 10–459 to be under the new part “Part V. Sickle Cell Disease Research Program”

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)62. and 63.

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)64.

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1027 – Delegates Barkley and Vaughn**

AN ACT concerning

**Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions**

FOR the purpose of altering the definition of “debt cancellation agreement”, for purposes of certain provisions of law governing retail installment sales and closed end credit, to include an agreement under which the outstanding balance of a loan is reduced by the actual cash value of a certain motor vehicle at the time of loss; altering the definitions of “outstanding balance” and “remaining loan balance” to exclude any other items as agreed to by the parties and stated in the debt cancellation agreement; and generally relating to credit regulation and debt cancellation agreements.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–601(a) and 12–1001(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–601(h) and (p) and 12–1001(h) and (l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1028 – Delegates Barkley, Boteler, Burns, Harrison, Hershey, Impallaria, Minnick, Schulz, and Vaughn**

AN ACT concerning

**Electric Companies and Electric Cooperatives – Standard Offer Service – Service Rights Auctions**

FOR the purpose of requiring the Public Service Commission to study and make recommendations about the advisability of conducting certain auctions related to the right of certain electric companies and electric cooperatives to provide



electric service to customers using standard offer service in certain service territories and the manner in which the auctions should be conducted, including certain items; requiring the Commission to report certain recommendations by a certain date to the Senate Finance Committee and the House Economic Matters Committee; defining a certain term; and generally relating to standard offer service.

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1029 – Delegates Braveboy and Alston**

AN ACT concerning

#### **Maryland Medical Assistance Program – Long-Term Care Services – Eligibility**

FOR the purpose of requiring the Department of Health and Mental Hygiene to provide an applicant for certain Maryland Medical Assistance Program services with a written notice of eligibility within a certain time period after the Department receives a certain application; providing that an applicant is presumptively eligible for certain Program benefits if the Department does not make an eligibility determination within a certain time period; establishing the day on which an individual who is determined to be presumptively eligible shall receive certain Program benefits; requiring the Department to make a final decision regarding the eligibility of certain individuals for the Program within a certain time period; requiring the Department to provide certain notice to certain individuals before terminating Program benefits under certain circumstances; authorizing certain individuals to appeal a decision by the Department to terminate Program benefits within a certain time period; requiring the Department to continue to provide Program benefits under certain circumstances; establishing the circumstances under which the Department is required to make a determination of presumptive eligibility on subsequent applications from certain individuals; providing that the Department is not required to authorize presumptive eligibility under this Act if the Department has not received certain information or a certain application; requiring the Department and the Department of Human Resources to submit certain budget estimates in a certain manner; providing that a certain budget estimate shall be considered a certain estimate prescribed by law; requiring the Department and the Department of Human Resources to report certain information to the General Assembly on or before the first day of each month; defining certain terms; and generally relating to eligibility for long-term care services and the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15-147

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1030 – Delegates Alston and Braveboy**

AN ACT concerning

**District Court – Prince George’s County – Masters for Traffic Offenses**

FOR the purpose of requiring the judges of the District Court in Prince George’s County to appoint one or more masters to hear nonincarcerable violations of the Maryland Vehicle Law; providing that an appointment under this Act is subject to a certain approval; providing for standards applicable to a master under this Act; requiring a master under this Act to be a member of good standing of the Maryland Bar; establishing the powers and duties of a master under this Act; establishing requirements for hearings held under this Act; authorizing a defendant to file exceptions and have a certain hearing; establishing that certain proposals and recommendations do not constitute orders or final action of the court; requiring the court to review certain proposals and recommendations and take certain actions; requiring the court to conduct a de novo hearing under certain circumstances; authorizing a certain funding source for the implementation of this Act; and generally relating to masters in Prince George’s County to hear nonincarcerable violations of the Maryland Vehicle Law.

BY adding to

Article – Courts and Judicial Proceedings

Section 1–604

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1031 – Delegates Alston and Vallario**

AN ACT concerning

**Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea**

FOR the purpose of providing that an appeal from a final judgment entered following a conditional plea of guilty may be taken in accordance with the Maryland Rules; defining a certain term; and generally relating to the right of appeal from final judgments in criminal cases.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–302(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1032 – Delegate McDermott**

AN ACT concerning

**Agritourism Activity – Civil Liability – Defense of Assumption of Inherent Risks**

FOR the purpose of providing that an agritourism professional who provides certain notice concerning inherent risks of agritourism activity to a participant in the activity is not subject to civil liability under certain circumstances; defining certain terms; providing for the application and construction of this Act; and generally relating to establishing a certain defense to civil liability based on a participant's assumption of inherent risks of agritourism activity.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–427  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1033 – Delegates Mizeur, Bobo, Frush, and Luedtke**

AN ACT concerning

**Environment – Gas and Oil Leasing Agent – Notice to Landowner**

FOR the purpose of requiring a certain leasing agent to provide certain written notice to a landowner before presenting the landowner with a certain gas and oil lease; authorizing the Department of the Environment to adopt certain regulations; establishing certain grounds for the denial of a certain gas and oil permit; defining a certain term; and generally relating to notice of the rights of a landowner associated with gas and oil leases.

BY adding to  
Article – Environment  
Section 14–113.1  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1034 – Delegates Mizeur, Bobo, Carr, and Frush**

AN ACT concerning

**Environment – Oil and Gas Leases – Risk Disclosures**

FOR the purpose of prohibiting a person from entering into a certain oil and gas lease in the State unless a copy of certain language is provided to the lessor and certain risks to landowners are stated conspicuously in the language of the lease; establishing certain grounds for the denial of a certain oil and gas permit; and generally relating to the disclosure of risks to landowners associated with drilling for oil and gas in the State.

BY adding to

Article – Environment

Section 14–113.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1035 – Delegate Waldstreicher**

AN ACT concerning

**Program Open Space – Use of Funds – Artificial Turf Surfaces**

FOR the purpose of prohibiting the use of certain funds under Program Open Space to replace certain existing natural grass athletic fields with certain artificial turf surfaces; and generally relating to the use of funds for Program Open Space.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–903(g) and 5–905(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Natural Resources

Section 5–903(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1036 – Delegate Barve**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Gaithersburg Upcounty Senior Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of a certain grant for the Gaithersburg Upcounty Senior Center; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(BJ)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1037 – Charles County Delegation**

AN ACT concerning

**Creation of a State Debt – Charles County – Jude House**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Jude House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1038 – Charles County Delegation**

AN ACT concerning

**Creation of a State Debt – Charles County – Southern Maryland Carousel**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Southern Maryland Carousel Group, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing

a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1039 – Charles County Delegation**

AN ACT concerning

#### **Creation of a State Debt – Charles County – Indian Head Center for the Arts Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Indian Head Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1040 – Delegates Mizeur, Bobo, and Frush**

AN ACT concerning

#### **Environment – Gas and Oil Leases – Recordation**

FOR the purpose of requiring a certain person that holds a certain gas or oil lease to record the lease in a certain manner; prohibiting a person that holds a certain gas or oil lease from recording a certain memorandum of lease under certain circumstances; and generally relating to gas and oil leases.

BY adding to

Article – Environment

Section 14–113.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1041 – Delegate Waldstreicher**

AN ACT concerning

#### **Health Insurance – Coverage of In Vitro Fertilization Services**

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage for certain benefits for outpatient expenses arising from certain in vitro fertilization procedures; providing for the application of this Act; and generally relating to coverage of in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–810  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1042 – Delegate Vallario**

AN ACT concerning

**Courts and Judicial Proceedings – Witnesses – Privileged Communications  
Between Labor Organization and Member**

FOR the purpose of prohibiting a labor organization or an agent of a labor organization from being compelled to disclose in certain proceedings certain communications or information acquired from a member; providing certain exceptions; prohibiting a certain inference from being drawn from a certain refusal; providing that the provisions of federal or State labor law control under certain circumstances; and generally relating to privileged communications.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 9–124  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1043 – Delegates Alston and Braveboy**

AN ACT concerning

**Income Tax Credit – Prince George’s County – Customer Bag Credit Program**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax for certain costs incurred for a customer bag credit program at a store in Prince George’s County; providing for calculation of the

credit; providing for the carryover of unused credit; requiring an individual or a corporation to provide certain information with a tax return that claims the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain costs incurred for a customer bag credit program at a store in Prince George's County.

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1044 – Delegates McComas, Afzali, Bates, Cluster, Eckardt, Elliott, Frank, George, Glass, Hough, Kipke, McDermott, McDonough, W. Miller, Minnick, and Stocksedale**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Local Jurisdictions**

FOR the purpose of requiring that a speed monitoring system calibration check be performed by an independent calibration laboratory that is unaffiliated with the manufacturer of the speed monitoring system; requiring a local jurisdiction to use a speed monitoring system that meets certain model minimum performance specifications; requiring a local jurisdiction to keep certain documentation related to speed monitoring systems and all recorded images on file and available for inspection by the public; requiring a certificate alleging that a certain speeding violation occurred to be sworn to or affirmed by a certain law enforcement officer; requiring a court to issue a summons to appear to a speed monitoring system operator if requested in writing within a certain time by a person who received a citation based on a recorded image produced by a speed monitoring system; authorizing a person named in a citation based on a recorded image produced by a speed monitoring system to use the recorded image in defense of the violation charged; prohibiting a contractor's fee from being contingent on the number of citations issued or paid if the contractor administers or processes the citations; and generally relating to speed monitoring systems operated by local jurisdictions.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 1045 – Delegates Mizeur and Bobo**

AN ACT concerning

**The Maryland Native Plants and Wildflower Preservation Act**

FOR the purpose of increasing the number of commemorative registration plates that the Motor Vehicle Administration may issue at any one time; requiring the Administration to issue specially designed commemorative registration plates to enhance public awareness of the importance of native plants and wildflowers to the Chesapeake Bay; requiring the Administration to transfer a certain portion of the additional registration fee charged for commemorative plates issued under this Act to the Chesapeake Bay Trust for the preservation and protection of native plants and wildflowers; creating a native plants and wildflowers project area within the Chesapeake Conservation Corps; and generally relating to commemorative license plates and the preservation and protection of native plants and wildflowers.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–618  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1920  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1046 – Howard County Delegation**

AN ACT concerning

**Howard County – Alcoholic Beverages Sales – Golf Courses  
Ho. Co. 7–12**

FOR the purpose of altering the starting time for selling beer, wine, and liquor at certain golf courses in Howard County that hold a certain license; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–514(a)(3)

Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1047 – Howard County Delegation**

AN ACT concerning

**Howard County – Alcoholic Beverages – Refillable Beer Containers  
Ho. Co. 10–12**

FOR the purpose of authorizing a holder of a Class B special beer and wine license in Howard County to sell draft beer in certain refillable containers for consumption off the licensed premises only to persons who have purchased food or alcohol from the licensed premises; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(p–1)(1) and (2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(p–1)(7)(i)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1048 – Delegate James**

AN ACT concerning

**Creation of a State Debt – Harford County – Aberdeen Youth Baseball Field**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Boys and Girls Club of Harford County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1049 – Delegate Alston**

AN ACT concerning

**Elementary and Secondary Education – County–Supervised Home Instruction – High School Diploma**

FOR the purpose of authorizing a certain individual who received home instruction under the supervision of a county board of education to apply to a certain county board to obtain a high school diploma under certain circumstances; requiring a certain county board to award a high school diploma to certain individuals; requiring a certain county board to adopt certain rules and regulations; and generally relating to obtaining a high school diploma for the completion of county–supervised home instruction for elementary and secondary education.

BY adding to

Article – Education

Section 7–206

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1050 – Delegates Barkley and Davis**

AN ACT concerning

**Alcoholic Beverages Licensees – Adult Entertainment – Exception**

FOR the purpose of providing that certain prohibitions in certain jurisdictions against alcoholic beverages licensees allowing certain types of adult entertainment do not apply to licensees who are operators of theaters, art centers, or similar establishments that present performances expressing matters of serious literary, artistic, scientific, or political value; altering a prohibition relating to certain adult entertainment activity to remove certain references to touching; altering certain cross–references to clarify that certain references to certain adult entertainment activity; terminating an exemption for certain license holders from a prohibition against certain adult entertainment activity in Prince George’s County; and generally relating to alcoholic beverages licensees and adult entertainment.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10–405, 11–304(e)(3)(i), 12–203, 12–204(d), 20–103.1(a)(2),  
20–105.1(a)(3), 20–107(b)(2), 20–107.1(a)(2), 20–108.1(a)(3),  
20–108.2(a)(2), 20–110(a)(2), 20–111(a)(2), 20–112(a)(2), and 20–113(a)(2)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 12–204(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Chapter 262 of the Acts of the General Assembly of 2005  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 262 of the Acts of the General Assembly of 2005  
Section 3

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1051 – Delegates Hixson and Gilchrist**

AN ACT concerning

#### **Sales and Use Tax – Services**

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to impose the tax on certain services; exempting from the tax the sale of certain services by a political subdivision of the State; providing for a delayed effective date; and generally relating to the sales and use taxation of certain services.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 11–232  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1052 – Delegates Beitzel and Frush**

AN ACT concerning

**Natural Resources – Suspension of Hunting Licenses and Privileges**

FOR the purpose of authorizing the Department of Natural Resources to suspend for certain periods of time the hunting license or privileges of a person who is convicted of a State or federal hunting violation; requiring the Department to suspend for a certain time period the hunting license or privileges of a person who receives within a certain time period a second conviction for certain hunting violations; authorizing the Department to order that certain persons not obtain a hunting license for a certain time period; repealing certain provisions of law authorizing the Department to impose a certain fine and certain hunting license suspensions for a conviction for certain hunting violations; authorizing a court to suspend the hunting license of a person convicted of a federal hunting violation and the hunting privileges of a person convicted of a State or federal hunting violation; prohibiting a person whose hunting license is suspended from hunting or performing certain hunting activities anywhere in the State; prohibiting a person whose hunting privileges are suspended from hunting, or performing certain activities related to hunting, in the State; authorizing the Department to adopt regulations to implement this Act; clarifying certain language; defining a certain term; and generally relating to the suspension of hunting licenses and privileges in the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–205, 10–423, 10–1101, and 10–1108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1053 – Charles County Delegation**

AN ACT concerning

**Charles County – Red Light Violations – Civil Penalties – Late Payment Fee**

FOR the purpose of authorizing Charles County or a municipality in Charles County, in an uncontested case involving a violation recorded by a traffic control signal monitoring system in which the civil fine is paid directly to the County or the municipality, to charge a fee to cover administrative costs associated with processing the late payment of the fine; and generally relating to violations recorded by traffic control signal monitoring systems in Charles County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–202.1(d)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–301(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1054 – Charles County Delegation**

AN ACT concerning

#### **Charles County – Property Tax Credit – Conservation Easements**

FOR the purpose of authorizing the governing body of Charles County to grant, by law, a property tax credit against the county property tax imposed on certain real property subject to a perpetual conservation easement under certain circumstances; authorizing the governing body of Charles County to provide, by law, for the amount and duration of the credit and any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to a county property tax credit for certain property in Charles County subject to a perpetual conservation easement.

BY adding to  
Article – Tax – Property  
Section 9–310(i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1055 – Delegates A. Kelly, Alston, Arora, Barkley, Carr, Cullison, Frick, Glenn, Gutierrez, Hixson, Howard, Hubbard, Hucker, Ivey, Kaiser, Kipke, Lee, Luedtke, Mizeur, Pena–Melnyk, Reznik, S. Robinson, Tarrant, F. Turner, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker**

AN ACT concerning

#### **Health Insurance – Habilitative Services – Required Coverage and Workgroup**

FOR the purpose of altering the age under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage of

habilitative services; specifying the format in which a certain notice about the coverage must be provided; requiring the Maryland Insurance Commissioner to establish a workgroup on access to habilitative services benefits; specifying the composition of the workgroup; requiring the workgroup to make certain determinations; requiring the Commissioner to report the findings and recommendations of the workgroup, on or before a certain date, to certain legislative committees; altering a certain definition; and generally relating to health insurance coverage of habilitative services.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–835

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1056 – Delegates A. Kelly, Afzali, Beidle, Carr, Cullison, Frush, George, Hubbard, Ivey, Kach, Kipke, Luedtke, Mizeur, Parrott, Pena–Melnyk, Ready, and S. Robinson**

AN ACT concerning

### **Health Occupations – Licensed Midwives**

FOR the purpose of establishing the State Board of Midwives; specifying that this Act does not limit the right of certain individuals to practice certain occupations; specifying the composition of the Board; specifying the terms of a Board member; requiring the Governor to appoint a new member, under certain circumstances, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Board to elect a chair and any other officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to determine the times and places of its meetings; specifying that a Board member is entitled to certain compensation and reimbursement; authorizing the Board to employ a staff under certain circumstances; requiring the Board to adopt certain regulations consistent with certain standards; prohibiting the Board from adopting certain regulations; specifying the duties of the Board; establishing the State Board of Midwives Fund; authorizing the Board to set reasonable fees under certain circumstances; requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes; specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a

designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; requiring the Legislative Auditor to audit the accounts and transactions of the Fund; specifying that a person who gives information to the Board or otherwise participates in its activities has a certain immunity from liability; requiring certain individuals, beginning on a certain date, to have a certain license before practicing midwifery in the State; prohibiting the Board from discriminating against an applicant or licensee for certain reasons; requiring an individual to meet certain requirements to qualify for a license; authorizing the Board to waive a certain examination under certain circumstances; requiring an applicant to submit certain information to the Board and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; authorizing licensed midwives to apply sutures for a certain purpose, administer local anesthetic under certain circumstances, and order certain medical tests and certain doses of prescription drugs commonly used in the practice of midwifery; authorizing licensed midwives to obtain certain prescription drugs and certain substances from certain pharmacists, manufacturers, or wholesale distributors; granting immunity from civil liability for certain acts or omissions to certain pharmacists, manufacturers, or wholesale distributors under certain circumstances; specifying the term of a license; requiring the Board to send certain information to licensees a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status or to reinstate a license under certain circumstances; prohibiting a licensed midwife from surrendering a license under certain circumstances; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; authorizing the Board to assess a certain monetary penalty on a person that fails to file a certain report; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; specifying that certain investigations, reports, and recommendations are confidential under certain circumstances; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with a certain provision of law; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period; requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; prohibiting the Board from reinstating a certain license under certain circumstances; requiring a



midwife to display a certain notice under certain circumstances; prohibiting an individual from practicing midwifery in the State without a license; prohibiting certain individuals from making certain representations to the public, using certain designations, and using certain initials; specifying that this Act may be cited as the “Maryland Midwives Act”; subjecting this Act to the Program Evaluation Act; specifying the purpose of this Act; providing for the terms of the initial Board members; providing for the termination of this Act; defining certain terms; and generally relating to the State Board of Midwives and the licensing of midwives.

BY renumbering

Article – State Government  
Section 8–403(b)(38) through (68), respectively  
to be Section 8–403(b)(39) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 6.5–101 through 6.5–602 to be under the new title “Title 6.5. Midwives”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(38)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1057 – Delegates George, Boteler, Cluster, Conaway, Frick, Glass, K. Kelly, McComas, Schuh, and Vitale**

AN ACT concerning

**Criminal Law – Robbery – Oral Claim of Possession of a Dangerous Weapon**

FOR the purpose of prohibiting a person from committing or attempting to commit a robbery by making an oral claim that the person has possession of a dangerous

weapon; establishing a certain penalty for a violation of this Act; and generally relating to the crime of robbery.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–403  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1058 – Delegate Stein**

AN ACT concerning

#### **Program Open Space – Local Projects – Funding for Development**

FOR the purpose of limiting the dispersal of certain Program Open Space funding to the costs associated with development projects and the construction of recreational facilities under certain circumstances; repealing a certain requirement that, to obtain a certain percentage of State funding, certain land acquired within a priority funding area be limited in the amount of impervious surface on the land; exempting certain indoor recreational facilities from certain funding limits; and generally relating to development of local projects under Program Open Space.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–905(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1059 – Delegate Feldman**

AN ACT concerning

#### **Property and Casualty Insurance – Rescission of Policy or Binder – Authorized**

FOR the purpose of authorizing an insurer to rescind a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance if the applicant's initial premium payment is made by a check that is dishonored and returned by a financial institution for a certain reason; requiring that an insurer, to rescind the policy or binder, send a certain notice to the applicant within a certain period of time, in a certain manner, and to a certain address;

requiring the notice to contain certain statements; providing for the application of this Act; and generally relating to the rescission of policies and binders of property and casualty insurance.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 12–106(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Insurance  
Section 12–106(j)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1060 – Delegates A. Kelly, Barve, Gilchrist, and Simmons**

AN ACT concerning

**Creation of a State Debt – Montgomery County – TLC’s Katherine Thomas School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of TLC – The Treatment and Learning Centers, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1061 – Delegates Hough, Afzali, McDermott, Parrott, and Ready**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Judiciary Department – Commission on Judicial Disabilities – Powers**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the removal or reprimand of judges by the Commission on Judicial Disabilities; authorizing the Commission to remove a judge from office for engaging in certain misconduct while performing the judge’s duties; requiring the

Commission to remove a judge from office if, under certain circumstances, the judge refused to enforce applicable law, court rules, or provisions of the Maryland Constitution or United States Constitution, rendered a decision or issued an order that is contrary to applicable law, court rules, or provisions of the Maryland Constitution or United States Constitution, or knowingly disregarded applicable law, court rules, or provisions of the Maryland Constitution or United States Constitution; authorizing the Commission to issue a reprimand to a judge under certain circumstances if a judge engaged in certain misconduct while performing the judge's duties; requiring the Commission to issue a certain order of removal for certain misconduct within a specified time period; establishing the rights of a judge, who is alleged to have engaged in certain misconduct, in a certain proceeding before the Commission; establishing that a judge removed by the Commission for certain misconduct shall forfeit certain rights and privileges; authorizing certain persons to file a certain complaint; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 4 and 4B

Read the first time and referred to the Committee on Judiciary.

**House Bill 1062 – Delegates Hershey, Jacobs, and Smigiel**

AN ACT concerning

**Queen Anne's County – Beer, Wine and Liquor Tasting License**

FOR the purpose of creating in Queen Anne's County a beer, wine and liquor tasting license; specifying to whom the license may be issued; setting maximum limits on the amounts of certain individual servings; specifying that the license may be issued for tasting purposes only; establishing a license fee; and generally relating to alcoholic beverages licenses in Queen Anne's County.

BY renumbering  
Article 2B – Alcoholic Beverages  
Section 8–410.2 and 8–410.3, respectively  
to be Section 8–410.3 and 8–410.4, respectively  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–410.2  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1063 – Delegates Hershey, Jacobs, and Smigiel**

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Inspectors**

FOR the purpose of repealing a requirement that the alcoholic beverages inspector that the Board of License Commissioners of Queen Anne’s County is required to appoint be a full-time inspector; and generally relating to alcoholic beverages inspectors in Queen Anne’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 15–112(a)(3)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15–112(s)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1064 – Delegates Mitchell, Haynes, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Walters Art Gallery – The Domino Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Walters Art Gallery, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1065 – Delegates Fisher, Glass, Myers, Ready, and Serafini**

AN ACT concerning

**Personal Property Tax – Investments in Maryland**

FOR the purpose of providing an exemption from personal property tax for property that is owned by certain businesses organizing or moving into the State; exempting certain personal property from the property tax imposed by a county or municipal corporation as of a certain date; requiring the Department of Assessments and Taxation to identify certain provisions of law and submit a certain report to the General Assembly; providing for the application of this Act; and generally relating to a personal property tax for certain businesses.

BY adding to

Article – Tax – Property  
Section 7–245 and 7–402  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1066 – Delegates K. Kelly, Arora, Clippinger, Cluster, Dwyer, Hough, Lee, McComas, McDermott, Mitchell, Smigiel, Valentino–Smith, and Waldstreicher**

AN ACT concerning

**Criminal Law – Robbery and Burglary – Pharmacies**

FOR the purpose of prohibiting an individual from taking unauthorized possession of a certain controlled dangerous substance in a certain manner; prohibiting an individual from employing or displaying a dangerous weapon during the commission of a robbery of a pharmacy; prohibiting a person from breaking into a pharmacy with the intent to steal, take, or carry away a certain controlled dangerous substance; establishing certain penalties for a violation of this Act; authorizing a certain sentence imposed under this Act to be separate from and consecutive to or concurrent with a certain other sentence; and generally relating to robbery or burglary of pharmacies.

BY adding to

Article – Criminal Law  
Section 3–406  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 6–201 and 6–203

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–101(p)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1067 – Delegates McComas, Afzali, Bates, Cluster, DeBoy, Eckardt, Elliott, Frank, Frick, George, Glass, Glenn, Haddaway–Riccio, Howard, Jameson, A. Kelly, Kipke, Krebs, Love, McDermott, McDonough, A. Miller, Nathan–Pulliam, Norman, B. Robinson, Sophocleus, Stocksdales, and Washington**

AN ACT concerning

**Child Abuse and Neglect – Failure to Provide Notice or Report – Civil Liability and Criminal Penalty**

FOR the purpose of expanding immunity from civil liability or criminal penalty to a person who provides or participates in providing notice of child abuse or neglect to the appropriate authorities; adding a medical examiner and a parole or probation agent to the list of individuals who are specifically required to notify the appropriate authorities and make a certain report in a certain manner if the individual, acting in a professional capacity in this State, has reason to believe a child has been subjected to abuse or neglect; making it a misdemeanor, subject to a certain penalty, for certain health practitioners, police officers, educators, parole and probation agents, and human service workers to knowingly fail to provide a certain notice or make a certain report of suspected child abuse or neglect under certain circumstances; requiring the Office of the Chief Medical Examiner to send an autopsy report to certain officials if the office finds a death investigated by the office was caused by or related to child abuse or neglect; establishing that an individual who is specifically required to provide a certain notice or make a certain report who knowingly fails to provide the notice or make the report may be held civilly liable for damages arising from the failure to provide the notice or make the report; and generally relating to reporting child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–620  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–704

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 635 of the Acts of the General Assembly of 1987)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–708

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1068 – Delegates Burns, Braveboy, Haddaway–Ricchio, Harrison, Huckler, Impallaria, Kramer, W. Miller, Minnick, Olszewski, Schuh, Schulz, and Vaughn**

AN ACT concerning

**Homeowner’s Insurance – Limitation on Number of Claims Made – Notice**

FOR the purpose of requiring certain insurers that issue policies of homeowner’s insurance in the State to provide applicants and insureds with a notice that states the number of claims that may be made under a policy of homeowner’s insurance before the insurer cancels or refuses to renew the policy; requiring insurers to provide the notice at certain times and in a certain manner; providing that insurers are deemed to be in compliance with the notice requirement under certain circumstances; authorizing a notice required to be sent by certificate of mailing to be sent with a certain other required notice and statement; providing for the application of this Act; and generally relating to notice of the limitation on the number of claims that may be made under policies of homeowner’s insurance.

BY adding to

Article – Insurance

Section 19–214

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1069 – Delegates Valentino–Smith and Hubbard**

AN ACT concerning



**Maryland Consolidated Capital Bond Loan of 2007 – Prince George’s County  
– Reid Community Business Development Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to alter the amount of matching fund that the Board of Directors of the Reid Community Development Corporation must provide; extending the deadline for the grantee to present evidence of a matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2007.

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by  
Chapter 219 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01 (BD) and ZA02 (BT)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1070 – Delegates Malone and DeBoy**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Family Center Y**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the YMCA of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1071 – Delegates Alston, Braveboy, Howard, and Walker**

AN ACT concerning

**Income Tax – Customer Bag Credit Program**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax for certain costs incurred for a customer bag credit program; providing for calculation of the credit; providing for the carryover of unused credit; requiring an individual or corporation to provide certain information with a tax return that claims the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain costs incurred for a customer bag credit program.

BY adding to

Article – Tax – General  
Section 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1072 – Delegates Mizeur, Bobo, Carr, Frush, Luedtke,  
Nathan–Pulliam, Niemann, S. Robinson, and Washington**

AN ACT concerning

**Recordation and Transfer Taxes – Oil or Gas Mineral Interests**

FOR the purpose of clarifying that recordation and transfer taxes apply to an instrument of writing that conveys title to, or a leasehold interest in, an oil or gas mineral interest; increasing the State transfer tax rate that applies to an instrument of writing that conveys title to, or a leasehold interest in, an oil or gas mineral interest by a certain amount; defining certain terms; and generally relating to the application of recordation and transfer taxes to oil and gas mineral interests.

BY adding to

Article – Tax – Property  
Section 12–101(e–6), (f–1), and (f–2), 13–101(e–1), (f–1), and (f–2), and  
13–203(b)(6)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 12–101(f) and 13–101(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property  
Section 12–102, 12–103(a) and (b)(1), 13–202, 13–203(a), and 13–209(d) and  
(d–1)(1) and (2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1073 – Delegate Haddaway–Ricchio**

AN ACT concerning

**Real Estate Brokers – Guaranty Fund – Claims and Repayment**

FOR the purpose of increasing the amount that a person may recover for each claim against the Real Estate Guaranty Fund; providing that interest on the amount paid by the Guaranty Fund does not begin to accrue until a certain period of time has passed; altering the interest rate charged to a real estate broker, associate real estate broker, or real estate salesperson licensee if the licensee has entered into a certain repayment plan; requiring the State Real Estate Commission to allow a licensee, on request, to enter into a plan to repay the Guaranty Fund within a certain period of time; authorizing the Commission to reinstate a suspended license if the individual whose license was suspended enters into a certain repayment plan; prohibiting a certain settlement offered to a licensee by the Commission from including a certain provision; and generally relating to the payment of claims by and repayment to the Real Estate Guaranty Fund.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–404(b), 17–411(a), and 17–412  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Business Occupations and Professions  
Section 17–413  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1074 – Delegates Dumais, Bobo, Lee, A. Miller, Valentino–Smith,  
and Waldstreicher**

AN ACT concerning

**Criminal Law – First Degree Assault – Strangulation**

FOR the purpose of prohibiting a person from committing an assault by applying pressure on the throat or neck of another person in a certain manner; establishing that a person who violates this Act is guilty of the felony of assault in the first degree and on conviction is subject to a certain penalty; and generally relating to the crime of assault in the first degree.

BY repealing and reenacting, with amendments,  
Article – Criminal Law

Section 3–202  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1075 – Howard County Delegation**

AN ACT concerning

**Creation of a State Debt – Howard County – Supported Living Facility  
Ho. Co. 3–12**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$130,000, the proceeds to be used as a grant to the Board of Directors of the Supported Living, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1076 – Howard County Delegation**

AN ACT concerning

**Creation of a State Debt – Howard County – Carroll Baldwin Hall  
Ho. Co. 1–12**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Carroll Baldwin Memorial Institute, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1077 – Howard County Delegation**

AN ACT concerning

**Creation of a State Debt – Howard County – South Branch Park  
Ho. Co. 4–12**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1078 – Howard County Delegation**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Roger Carter Recreation Center Ho. Co. 2–12**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1079 – Delegate Bates**

AN ACT concerning

#### **State Department of Education – Virtual Learning Opportunities – Survey and Report**

FOR the purpose of requiring the State Department of Education to conduct a survey of the county boards of education to make a certain determination about the use of virtual learning opportunities for students; requiring the Department to submit a certain report to the General Assembly on or before a certain date; requiring the Department to develop and adopt certain guidelines and policies regarding the utilization of certain virtual learning opportunities; and generally relating to a survey and report of virtual learning opportunities by the State Department of Education.

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1080 – Delegate Walker**

AN ACT concerning

**Education – Student Athletes – Heat Acclimatization Guidelines**

FOR the purpose of requiring the State Department of Education, in collaboration with certain organizations and health care providers, to develop a model policy for preseason–practice heat acclimatization guidelines for student athletes; requiring local boards of education to adopt preseason–practice heat acclimatization guidelines for student athletes; requiring certain guidelines to include requirements for the duration of a practice time, a walk–through, and a recovery period during preseason practice; defining certain terms; and generally relating to requiring the adoption of preseason–practice heat acclimatization guidelines for student athletes.

BY adding to

Article – Education

Section 7–434

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1081 – Delegate Rosenberg**

AN ACT concerning

**Homestead Property Tax Credit Reform Act of 2012**

FOR the purpose of providing that a person who has been granted a homestead property tax credit and is subsequently found to be ineligible for the credit is liable for certain property taxes otherwise due and a penalty equal to a certain amount; requiring a certain penalty to be included on the person’s tax bill; establishing that a certain penalty constitutes a lien on the property until paid in full; allowing a person to appeal a certain determination in accordance with certain policies and procedures; requiring a licensed real estate broker, associate broker, salesperson acting as an agent for a seller of residential real property, or the owner of the property under certain circumstances to provide to a certain purchaser or agent assisting the purchaser a written estimate of certain property taxes; requiring the property tax estimate to be based on certain rates and include certain information; requiring the estimate to be updated at certain times; requiring the State Real Estate Commission to adopt certain regulations; establishing certain liability limits for a seller, the seller’s agent, or an owner in connection with the sale of residential real property under certain circumstances; providing for the application of this Act; and generally relating to property taxes and residential real property.

BY repealing and reenacting, without amendments,

Article – Tax – Property  
Section 9–105(a)(1) and (5)(i) and (d)(1) through (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–105(n)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Business Occupations and Professions  
Section 17–531.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1082 – Delegates Krebs, Elliott, Ready, and Stocksdale**

AN ACT concerning

**Drugged Driving – Evidence – Drug Recognition Expert**

FOR the purpose of altering the circumstances under which a test for drug or controlled dangerous substance content of a person driving or attempting to drive a vehicle may be required or directed under certain circumstances; providing that a police officer's opinion as to whether a person was impaired by a drug or a controlled dangerous substance shall be admissible in a criminal proceeding under certain circumstances; providing that the admission of certain test results or certain testimony of a police officer does not limit the introduction of certain other evidence; and generally relating to evidence concerning drugged driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1083 – Delegate Rosenberg**

AN ACT concerning

**Gas Companies – Service Extension – Costs**

FOR the purpose of authorizing the owners of certain residential properties in a certain area who request extension of gas service to the area by a gas company to obtain a certain alternative proposal; requiring a certain alternative proposal to contain certain information, meet certain standards, and provide for payment in a certain manner; requiring the Public Service Commission to establish a certain methodology for comparing certain proposals; authorizing certain property owners to select between certain proposals for a gas service extension; establishing certain standards for the installation of certain gas service extensions; requiring the approval of a certain utility construction company by the Commission or the gas company under certain circumstances; providing that a certain gas service extension becomes the property of the gas company on completion and execution of a certain agreement; providing for the payment for the gas service extension; prohibiting a gas company from discriminating between certain gas customers on a certain basis; requiring each gas company to publish certain information in a certain manner; providing for the adoption by the Commission of certain procedures in a certain manner; providing for the purpose and application of this Act; and generally relating to gas service extensions.

BY adding to

Article – Public Utilities

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1084 – Delegates B. Robinson, Glenn, Howard, and Nathan–Pulliam**

AN ACT concerning

**Health – Pregnant Women – Hepatitis B Testing**

FOR the purpose of requiring an individual attending a woman for pregnancy to submit to a medical laboratory a blood sample taken from the woman at the time the individual first examines the woman and, under certain circumstances, at the time of delivery; requiring the medical laboratory that receives the blood sample to perform a certain hepatitis B surface antigen test; providing for the application of this Act; and generally relating to the testing of pregnant women for hepatitis B.

BY adding to

Article – Health – General

Section 18–310



Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1085 – Delegates Schulz, Clagett, Frank, Glass, Hogan, Hough, McComas, and Wood**

AN ACT concerning

**Workers’ Compensation – Emergency Responders – Revisions**

FOR the purpose of altering the definition of “on duty” in the workers’ compensation law to include the performance of certain duties assigned to certain individuals appointed as deputy sheriffs or members of a certain fire police unit; specifying that a certain yearly stipend to help offset out-of-pocket expenses that is paid to certain emergency responders may not be used when determining the average weekly wage of the members for workers’ compensation purposes; specifying that certain emergency responders who receive a certain membership benefit may not be considered employees for a certain purpose; and generally relating to workers’ compensation for emergency responders.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–234 and 9–602(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–602(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Labor and Employment  
Section 9–604(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1086 – Delegates Kramer and W. Miller**

AN ACT concerning

**Division of Correction – Revocation of Diminution Credits –  
Telecommunication Devices**

FOR the purpose of requiring the Division of Correction to revoke all of the good conduct diminution credits awarded when an inmate violates certain rules regarding a telecommunication device or knowingly possesses or receives a telecommunication device; prohibiting the Division from restoring certain revoked diminution credits; defining a certain term; and generally relating to telecommunication devices in the Division of Correction and revocation of diminution credits.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–709  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1087 – Delegates Hixson and Davis**

AN ACT concerning

**Telecommunications Companies – Universal Service Trust Fund – Surcharge**

FOR the purpose of expanding the services that are subject to the Universal Service Trust Fund surcharge; requiring that a certain surcharge be applied to certain bills and be payable at a certain time; requiring the Public Service Commission to direct certain companies to add the surcharge to certain bills for certain services under certain circumstances; requiring certain companies to act as collection agents for the Fund and to remit certain proceeds to the Comptroller for deposit in the Fund; providing certain companies a certain credit against certain proceeds; defining certain terms; making certain technical changes; and generally relating to the Universal Services Trust Fund surcharge on certain telecommunications services.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 3A–501(a) and (c), 3A–504(a), 3A–601(a) and (c), 3A–602(a), and 3A–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 3A–501(g) and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3A–501(g) and 3A–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1088 – Delegates Kramer, Arora, Barkley, Carr, Frick, Kipke,  
Luedtke, B. Robinson, Rudolph, Summers, and Valderrama**

AN ACT concerning

**Electricity and Gas – Energy Efficiency On–Bill Financing Program**

FOR the purpose of establishing the Energy Efficiency On–Bill Financing Program; specifying the purpose of the Program; requiring a utility company to participate in the Program; requiring the Maryland Energy Administration and the Public Service Commission to collaborate for a certain purpose; limiting the cost of an energy efficiency upgrade to a certain amount; requiring the Commission to establish standards for a qualifying energy efficiency upgrade; requiring the Administration to establish standards for an energy audit on which to base the terms of a certain loan; specifying the amount for a charge to repay a loan on a utility bill; requiring a loan to remain attached to a piece of property or otherwise to meet certain criteria; entitling a certain customer to an interest–free loan; authorizing a utility company to receive certain State funds under certain circumstances for a certain purpose; requiring the Commission to oversee the management of State funds by a utility company; requiring a utility company to establish a separate fund to manage certain State funds; entitling a certain customer to a low–interest loan; authorizing the Administration and the Commission to determine whether a utility company may obtain a renewable energy credit in exchange for extending an interest–free loan; requiring the Administration and the Commission to consider certain criteria when determining whether to authorize a utility company to obtain a renewable energy credit in exchange for an interest–free loan; specifying that a utility company that receives a renewable energy credit in exchange for an interest–free loan may not also receive State funds for the same transaction; requiring the Administration and the Commission to adopt certain regulations; defining certain terms; and generally relating to energy efficiency.

BY adding to  
Article – Public Utilities  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1089 – Calvert County Delegation**

AN ACT concerning

#### **Calvert County – Appointment of Assistant Sheriff – Candidates**

FOR the purpose of requiring the Sheriff of Calvert County to appoint as assistant sheriff an individual who is an active duty deputy sheriff and holds a certain rank in the Calvert County Sheriff's Office or an individual who is not a current employee of the Sheriff's Office; establishing that the Sheriff has sole discretion to appoint the assistant sheriff; authorizing the Sheriff to appoint the assistant sheriff without subjecting the candidate to a written examination; establishing the salary and merit status of the assistant sheriff based on the position the assistant sheriff held immediately before appointment; requiring an active duty deputy sheriff who was appointed to the position of assistant sheriff to be permitted to return to the position the assistant sheriff held before appointment including certain salary adjustments; and generally relating to sheriffs in Calvert County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1090 – Delegates Hucker, Cullison, Hubbard, and Tarrant**

AN ACT concerning

#### **Health – Palliative Care – Services and Education**

FOR the purpose of requiring certain hospitals to implement a palliative care program on or before a certain date; requiring the palliative care programs to provide and facilitate access to certain information and palliative care services and to implement certain policies and procedures; requiring certain health care providers to provide certain information and counseling about palliative care options to certain patients and proxy decision makers under certain circumstances; requiring counseling regarding palliative care to include certain information; authorizing counseling regarding palliative care to include certain discussions; providing that counseling regarding palliative care may occur over a series of meetings with a health care provider or other counseling provider; authorizing a health care provider or other counseling provider to encourage the patient or proxy decision maker to include certain individuals in counseling;

requiring certain health care providers to make a certain referral and provide a patient or proxy decision maker with certain information under certain circumstances; establishing a Statewide Palliative Care Education Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; requiring the Department to publish certain information regarding palliative care on its Web site; authorizing the Department to develop and implement certain initiatives regarding palliative care education and services that the Department determines further certain purposes; defining certain terms; and generally relating to palliative care services and education.

BY adding to

Article – Health – General

Section 19–2401 through 19–2404 to be under the new subtitle “Subtitle 24.  
Palliative Care”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1091 – Delegates Hucker, Niemann, and Rosenberg**

AN ACT concerning

#### **Civil Rights Tax Relief Act**

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–207(y)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1092 – Delegates Hucker, Barkley, Barnes, Clippinger, Frush, Glenn, Haynes, Howard, Ivey, K. Kelly, Luedtke, Mizeur, Rosenberg, Ross, Stukes, Summers, Valderrama, Vaughn, Washington, and Zucker**

AN ACT concerning

**Prevailing Wage Rate – Contract Threshold Amount**

FOR the purpose of altering the contract threshold amount for the application of the State prevailing wage rate law; requiring certain contractors to pay the prevailing wage rate to employees under certain public works contracts that exceed a certain amount; and generally relating to the State prevailing wage rate law.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(h), (i), and (j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1093 – Delegates Love and Jameson**

AN ACT concerning

**Portable Electronics Insurance**

FOR the purpose of repealing a certain limitation on the authority of a vendor of portable electronics insurance to sell coverage under a policy of portable electronics insurance; altering the circumstances under which a vendor that collects premiums for portable electronics insurance need not keep the premiums in a segregated account; providing an exception under certain circumstances to a certain requirement to itemize premiums and charges and requiring a vendor to provide certain notice to a customer relating to those circumstances; authorizing an employee or authorized representative of a vendor to receive certain compensation under certain circumstances; altering certain information that must be submitted to the Maryland Insurance Commissioner in an application for a limited lines license to sell portable electronics insurance; requiring an applicant to provide certain information about certain individuals under certain circumstances; requiring a certain

supervising entity to maintain a certain registry; requiring the registry to be open for inspection and examination after a certain period of time under certain circumstances; clarifying that, if a customer cancels coverage, any unearned premiums will be refunded to the person paying the premium; providing for a certain supplemental education program under certain circumstances; authorizing the Commissioner to impose a certain penalty under certain circumstances; altering the methods by which certain required notice may be sent to covered customers and vendors under certain circumstances; defining certain terms; altering a certain definition; providing for the application of this Act; and generally relating to portable electronics insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–701, 10–703 through 10–707, and 19–903  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1094 – Delegate Rudolph**

AN ACT concerning

#### **Insurance – Fraud Violations – Fines and Administrative Penalties**

FOR the purpose of providing that a certain fine imposed for certain insurance fraud violations is mandatory and not subject to suspension; authorizing the Maryland Insurance Commissioner to impose an administrative penalty, not exceeding a certain amount, for certain insurance fraud violations under certain circumstances; authorizing the Commissioner, for certain insurance fraud violations, to order restitution to certain insurers or self-insured employers of certain proceeds paid; requiring the Commissioner to consider certain factors in determining the amount of a certain administrative penalty; providing that the Commissioner may bring a civil action for the nonpayment of a certain administrative penalty under certain circumstances; and generally relating to the authority of the Maryland Insurance Commissioner to impose fines and administrative penalties and order restitution for insurance fraud violations.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–408  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1095 – Delegate Rudolph**

AN ACT concerning

**Property and Casualty Insurance – Underwriting Period – Discovery of  
Material Risk Factor**

FOR the purpose of requiring an insurer that discovers a certain material risk factor during a certain underwriting period to recalculate the premium for a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance under certain circumstances; requiring the insurer to provide certain notice to the insured if the insurer recalculates the premium for the policy or binder based on the discovery of a certain material risk factor; providing that certain provisions of law requiring insurers to send certain notice of a premium increase for a policy of private passenger motor vehicle liability insurance do not apply to an increase in premium made by an insurer during the underwriting period under certain circumstances; defining a certain term; making stylistic changes; providing for the application of this Act; and generally relating to the recalculation of the premium for a policy or binder of property and casualty insurance during the underwriting period.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 12–106 and 27–614(b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 27–614(a) and (c)(1) and (2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1096 – Delegate Hucker**

AN ACT concerning

**Personal Property Tax – Financial Institutions – Repeal of Tax Exemptions**

FOR the purpose of repealing certain property tax exemptions for certain personal property owned by certain financial institutions; providing for the application of this Act; and generally relating to the repeal of certain property tax exemptions for certain personal property owned by certain financial institutions.

BY repealing and reenacting, with amendments,

Article – Tax – Property



Section 7-221  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Tax – Property  
Section 7-221.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1097 – Delegate Rudolph**

AN ACT concerning

#### **Insurance – Suspected Fraud – Reporting Requirement**

FOR the purpose of altering the list of persons that are required to report suspected insurance fraud to certain persons and entities in a certain manner under certain circumstances; authorizing the withholding of certain information provided by certain persons under certain circumstances; making stylistic changes; and generally relating to required reporting of suspected insurance fraud.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 27-802  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1098 – Delegate Cardin**

AN ACT concerning

#### **Election Law – Campaign Finance Entities – Retention of Records**

FOR the purpose of altering record retention requirements applicable to campaign finance entities by requiring that the account books and related records of a campaign finance entity be preserved until the earlier of a certain number of years after the creation of the record or a certain number of years after the campaign finance entity files a final campaign finance report; and generally relating to record retention by campaign finance entities.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–221  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1099 – Delegates Valentino–Smith, Bromwell, Cluster, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Mitchell, Mizeur, Morhaim, Nathan–Pulliam, Reznik, B. Robinson, Sophocleus, Stein, V. Turner, and Zucker**

AN ACT concerning

**Criminal Law – Second Degree Assault – Health Care Practitioners**

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a health care practitioner engaged in performing the practitioner’s official duties; making a certain offense subject to a certain penalty; defining a certain term; and generally relating to assault on health care practitioners.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–201 and 3–203  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1100 – Delegates Wilson, Alston, Branch, and DeBoy**

AN ACT concerning

**Public Safety – Restrictions on Possession of Firearms – Convicted Felons  
and People With Mental Disorders**

FOR the purpose of prohibiting a person from possessing a firearm if the person has been convicted of a felony or, under certain circumstances, suffers from a mental disorder or has been confined to a certain facility for a certain period of time; establishing a penalty for a violation of this Act; prohibiting a court from suspending any part of a certain mandatory minimum sentence; establishing that a person is not eligible for parole during a certain mandatory minimum sentence; establishing that each violation of a certain provision of law is a separate crime; making conforming changes; and generally relating to restrictions on the possession of firearms.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(h) and (p)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–101(g), 5–133, and 5–206  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 5–133.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1101 – The Speaker (By Request – Administration) and Delegates  
Barkley, Barnes, Guzzone, Hucker, Ivey, Malone, McHale, Ross,  
Valentino–Smith, and Vaughn**

AN ACT concerning

**Workers’ Compensation – Medical Presumptions**

FOR the purpose of providing that certain occupational disease presumptions under the workers’ compensation law apply only for a certain number of years after an individual separates from service; providing that certain diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a certain manner; limiting a jurisdiction’s total benefit payout for certain workers’ compensation benefits to a certain amount; and generally relating to the occupational disease presumption for certain diseases and cancers under the workers’ compensation law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–503  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1102 – Delegates Dumais, Clippinger, A. Kelly, Lee, Simmons,  
Valderrama, and Waldstreicher**

AN ACT concerning

**Child Abuse – Failure to Report – Civil Penalty and Child Abuse Prevention Fund**

FOR the purpose of authorizing the Attorney General to institute a civil action against certain professionals who fail to report child abuse or neglect under certain circumstances; establishing a certain civil penalty for each violation; requiring a civil penalty collected under this Act to be deposited in the Child Abuse Prevention Fund; establishing that the civil penalty established under this Act is in addition to any other penalty provided by law; providing for the construction of certain provisions of this Act; establishing the Child Abuse Prevention Fund; requiring the Governor's Office of Crime Control and Prevention to administer the Fund; specifying the purpose of the Fund; establishing that the Fund is a special, nonlapsing fund, not subject to certain provisions of law; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in the Fund; establishing that money expended from the Fund is not intended to take the place of certain other funding; defining a certain term; and generally relating to child abuse and neglect.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–704  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Family Law  
Section 5–704.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1103 – Delegates Cardin and Summers**

AN ACT concerning

**Election Law – Campaign Contributors – Occupation and Employer**

FOR the purpose of requiring the treasurer of a campaign finance entity to record the occupation and employer of an individual who makes contributions of a certain cumulative amount to the campaign finance entity during an election cycle; requiring the treasurer to include in a campaign finance report the occupation and employer of an individual who makes contributions to the campaign finance entity of a certain cumulative amount; and generally relating to reporting the occupation and employer of certain contributors to campaign finance entities.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–221 and 13–304(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1104 – Delegates Wilson, Arora, K. Kelly, and Luedtke**

AN ACT concerning

**Criminal Law – Use of Firearm in Commission of Crime of Violence – Felony**

FOR the purpose of reclassifying as a felony the use of a firearm in the commission of certain crimes; and generally relating to the use of firearms.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–204  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1105 – Delegates Hucker and Love**

AN ACT concerning

**Homeowner’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited**

FOR the purpose of prohibiting an insurer, with respect to homeowner’s insurance, from denying, refusing to renew, or canceling coverage solely because the applicant or policyholder does not carry private passenger motor vehicle insurance with the insurer; prohibiting an insurer, with respect to private passenger motor vehicle insurance, from denying, refusing to renew, or

canceling coverage solely because the applicant or policyholder does not carry homeowner's insurance with the insurer; providing that this Act does not prohibit certain actions by an applicant, a policyholder, or an insurer with respect to certain insurance policies; providing for the application of this Act; and generally relating to bundling policies of homeowner's insurance and private passenger motor vehicle insurance.

BY adding to

Article – Insurance  
Section 27–501(r)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1106 – Delegate Glass**

AN ACT concerning

#### **Public Safety – Inappropriate Search of Minor by Public Servant – Penalties**

FOR the purpose of prohibiting a certain public servant from conducting a certain inappropriate search of a minor without probable cause that the minor is concealing contraband or a weapon or without the consent of the parent or guardian of the minor; establishing penalties for a violation of this Act; defining certain terms; and generally relating to searches of minors.

BY adding to

Article – Criminal Law  
Section 3–602.2  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy, James, McDonough, Weir, and Wood**

AN ACT concerning

#### **Job Creation Tax Credit – Amount of Credit and Termination Provisions**

FOR the purpose of altering the determination of the amount of a certain job creation tax credit earned by a qualified business entity under certain circumstances; altering the termination provisions for the tax credit; providing for the application of this Act; and generally relating to the job creation tax credit program.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 6–301(e)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 6–304(b) and 6–309  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1108 – Delegates Weir, Minnick, Olszewski, Aumann, Boteler, Bromwell, Burns, Cardin, Cluster, DeBoy, Frank, Impallaria, Jones, Kach, Lafferty, Malone, McDonough, Morhaim, Nathan–Pulliam, Stein, and Szeliga**

AN ACT concerning

**Maryland Historical Trust – Historic Property Designation – Essex Skypark**

FOR the purpose of requiring that, on or before a certain date, the Maryland Historical Trust designate a certain property as a historic property under a certain provision of law; and generally relating to the Maryland Historical Trust.

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1109 – Delegates Branch and Glenn**

AN ACT concerning

**Maryland Economic Development Corporation – Bonding Authority and Reporting Requirement**

FOR the purpose of authorizing the Maryland Economic Development Corporation to finance certain projects when bonds are payable or guaranteed by certain educational institutions if the Corporation has a certain ownership interest in the property and the property is leased to the educational institution; altering the date the Corporation is required to submit a certain report; and generally relating to the Maryland Economic Development Corporation.

BY repealing and reenacting, with amendments,  
Article – Economic Development

Section 10–103 and 10–132  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1110 – Delegates Kramer, Carter, Arora, Barkley, Carr, Cullison, DeBoy, Dumais, Frick, Frush, Howard, Hucker, Kaiser, A. Kelly, K. Kelly, W. Miller, Reznik, B. Robinson, Simmons, Sophocleus, Stein, Summers, and Valderrama**

AN ACT concerning

**Public Schools – Dating Violence – Kristen Marie Mitchell Law**

FOR the purpose of adding dating violence to provisions of law requiring the reporting of incidents of certain other conduct by a county board of education; altering the content of a certain form and report, policies, and educational programs to include incidents of dating violence; requiring the State Board of Education to develop, by a certain date, a certain model policy that includes a prohibition on dating violence; altering the date by which each county board is required to submit a certain policy to the State Superintendent of Schools; altering certain provisions of law granting certain immunity to certain school employees; altering certain provisions of law relating to the legal rights of certain victims; defining certain terms; and generally relating to dating violence in the public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–424 and 7–424.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1111 – Delegate Glass**

AN ACT concerning

**Public Safety – Restrictions on Searches for Security Purposes – Penalties**

FOR the purpose of prohibiting a certain public servant, while acting under color of the public servant's office or employment, from intentionally subjecting another person to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that the public servant knows is unlawful, intentionally denying or impeding another person in the exercise or enjoyment of a right, privilege, power, or immunity, knowing that the conduct of the public servant is



unlawful, or intentionally subjecting another person to certain sexual harassment; prohibiting a certain public servant, while acting under color of the person's office or employment and without probable cause to believe the other person committed an offense, from performing a search without effective consent for the purpose of granting access to a publicly accessible building or form of transportation and intentionally, knowingly, or recklessly touching the other person in a certain manner, including touching through clothing or causing physical contact with the other person when the public servant knows or should reasonably believe that the other person will regard the contact as offensive or provocative; establishing the circumstances under which a certain person is considered to act under color of office or employment; providing certain requirements for consent under this Act; establishing penalties for a violation of this Act; providing a defense to a prosecution under this Act; requiring the Attorney General to take certain actions if this Act is challenged on certain grounds; authorizing the Attorney General to make certain legal arguments; providing for the construction of this Act; defining certain terms; and generally relating to the conduct of certain public servants.

BY adding to

Article – Criminal Law

Section 3–216

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1112 – Delegate Eckardt**

AN ACT concerning

#### **Property Tax Assessment – Revaluation of Real Property Impacted by Regulation or Law**

FOR the purpose of requiring that certain real property be revalued for property tax assessment purposes in any year of a 3–year assessment cycle if a certain regulation or law causes a change in the value of the real property; requiring the Department of Assessments and Taxation to perform certain assessments within a certain time period; applying this Act to certain taxable years; and generally relating to the assessment of certain real property for property tax purposes.

BY adding to

Article – Tax – Property

Section 8–104(c)(5)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1113 – Delegates Wilson, K. Kelly, and Luedtke**

AN ACT concerning

**Public Safety – Possession of Stolen Regulated Firearms – Felony**

FOR the purpose of establishing that a person who violates provisions of law regarding the possession, sale, transfer, or disposal of a stolen regulated firearm is guilty of a felony and on conviction subject to certain penalties; and generally relating to the possession, sale, transfer, or disposal of stolen regulated firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–138  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1114 – Delegates Arora, Barkley, Hucker, Ivey, A. Miller, B. Robinson, and Zucker**

AN ACT concerning

**Dangerous Convicted Offenders Firearm Ban**

FOR the purpose of expanding the prohibition against the possession of a regulated firearm by certain persons to include the possession of any firearm; expanding the prohibition against the sale of a regulated firearm to certain persons to include the sale of any firearm; and generally relating to the sale and possession of firearms.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a), (c), (g), (h), (n), and (p)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133 and 5–134  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1115 – Delegate Olszewski**

AN ACT concerning

**Environment – Beverage Container Deposit Program – Recommendation**

FOR the purpose of requiring the Department of the Environment to recommend a beverage container deposit program to the Governor and the General Assembly on or before a certain date; requiring the recommended program to include certain requirements, determinations, and related provisions; and generally relating to recycling beverage containers.

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

**House Bill 1116 – Delegates Fisher, Glass, Myers, and Serafini**

AN ACT concerning

**Corporate Income Tax – Investments in Maryland**

FOR the purpose of altering the Maryland corporate income tax rate for certain corporations that make certain investments in the State; requiring certain corporations to make a certain calculation and submit a certain declaration stating the intent of the corporation to make certain investments; requiring certain corporations to provide evidence of certain qualifying investments for certain tax years; authorizing the Comptroller to collect a certain amount as unpaid tax from certain corporations that do not provide certain evidence; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the Maryland corporate income tax rate for certain corporations.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–105(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–105.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1117 – Delegates Hershey and Jameson**

AN ACT concerning

**Zoning, Construction, and Stormwater – Permits and Variances – Solar Panels**

FOR the purpose of providing that, for the purposes of issuing a permit or a variance relating to zoning, construction, or stormwater for a project to install a solar panel, any calculation relating to the impervious surface of the project required by certain State or local governing authorities may include only a certain portion of the solar panel; providing for the effective date of this Act; and generally relating to the calculation of impervious surfaces for the purposes of issuing a permit or a variance relating to zoning, construction, or stormwater.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–401 and 10–103

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (H.B. \_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

BY adding to

Article – Land Use

Section 4–210

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (H.B. \_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1118 – Delegate Morhaim**

AN ACT concerning

**Nursing Home Administrator License – Revocation or Surrender – Ban on Employment**

FOR the purpose of prohibiting certain nursing homes or nursing home management firms from knowingly employing or retaining as a consultant an individual who has surrendered a nursing home administrator license to the State Board of Nursing Home Administrators or has had a nursing home administrator license revoked by the Board based on certain grounds for discipline; prohibiting the Department of Health and Mental Hygiene from reimbursing certain nursing homes, related institutions, or management firms of certain nursing homes or related institutions under the Maryland Medical Assistance Program if the facility, related institution, or firm knowingly employs or retains as a consultant

a certain individual who has surrendered a certain license or has had a certain license revoked under certain circumstances; defining a certain term; and generally relating to prohibiting nursing homes, related institutions, and management firms of nursing homes and related institutions from knowingly employing an individual who has surrendered a nursing home administrator license or has had a nursing home administrator license revoked.

BY adding to

Article – Health Occupations  
Section 9–314.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 15–114(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–114(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 15–114(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1119 – Delegates Carter, Mitchell, Rosenberg, and Stukes**

AN ACT concerning

#### **Elections – Baltimore City – Election Dates**

FOR the purpose of altering the dates of certain elections for municipal offices in Baltimore City; specifying the term of municipal officers in Baltimore City who are elected in a certain year; and generally relating to elections in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 8–201 and 8–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1120 – Delegates Carter, Alston, Anderson, Barnes, Boteler, Braveboy, Cane, Dumais, Haynes, Holmes, Kach, K. Kelly, Lee, Mitchell, Nathan–Pulliam, Oaks, Proctor, B. Robinson, Rosenberg, Simmons, Smigiel, Stukes, Tarrant, F. Turner, Walker, and Washington**

AN ACT concerning

**Missing Children – Search Efforts and Collaboration  
(Phylcia’s Law)**

FOR the purpose of altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child; altering the requirement that a law enforcement agency institute appropriate search procedures to locate certain missing children to include the coordination of volunteer search teams; clarifying the name of the organization that a law enforcement agency must notify after receiving a certain missing child report; requiring the State Clearinghouse for Missing Children to coordinate certain entities to locate certain missing children; requiring the Clearinghouse to oversee search efforts used to locate certain missing children; requiring the Clearinghouse to publish certain information relating to missing children in the State; and generally relating to missing children.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 9–402 and 9–403  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1121 – Delegates Guzzone, Anderson, Clagett, Haynes, Jones, K. Kelly, Washington, and Zucker**

AN ACT concerning

**Correctional Services – Employee Caseloads – Disciplinary Actions**

FOR the purpose of requiring the Division of Parole and Probation to establish a certain standard caseload for parole and probation employees; requiring the caseload standard to be considered during employee disciplinary actions; and

generally relating to the performance of Division of Parole and Probation employees.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 6–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Correctional Services  
Section 6–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and Valentino-Smith**

AN ACT concerning

**Juveniles – Confinement in Juvenile Facilities**

FOR the purpose of providing that a certain child for whom the juvenile court has waived jurisdiction under certain circumstances is required to remain detained in a juvenile detention facility except under certain circumstances; providing that a certain child is required to be transferred to a certain juvenile facility under certain circumstances; establishing the circumstances under which a certain child may not be transferred to a juvenile facility; prohibiting a child from being transported together with certain adults except under certain circumstances; requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing, to order a certain child to be held in a secure juvenile facility pending a certain determination except under certain circumstances; authorizing a certain defendant to receive certain credit against and a reduction of the term of a certain sentence for all time spent in the custody of a juvenile detention facility under certain circumstances; making stylistic changes; and generally relating to juveniles and confinement in juvenile facilities.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–06 and 3–8A–16  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 3–8A–22  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–202 and 6–218  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1123 – Delegate Mizeur**

AN ACT concerning

#### **Environment – Presumptive Impact Areas – Damage Caused by Gas Wells in Deep Shale Deposits**

FOR the purpose of establishing for certain gas well permits a certain presumptive impact area around the gas well; establishing limits on the area and the time period in which a presumptive impact area shall be in effect; requiring the Department of the Environment to consider certain factors in making certain determinations; requiring a permittee to replace a certain water supply and repair certain damage or pay monetary compensation to a certain property owner in a presumptive impact area under certain circumstances; establishing certain conditions under which a certain water supply within a presumptive impact area shall be considered to be replaced adequately by the permittee; establishing a certain condition under which certain property damage within a presumptive impact area shall be considered to be repaired adequately by the permittee; requiring a permittee to pay certain compensation to a certain property owner under certain circumstances; prohibiting the Department from requiring a permittee to replace a water supply or repair or compensate an owner for other damage under certain circumstances; requiring the Department to adopt certain regulations; establishing that a certain presumption of causation does not apply under certain circumstances; providing that a certain presumption of causation applies in certain civil actions; providing that the presumption may be rebutted by clear and convincing evidence; stating certain legislative findings and intent; providing for the construction of this Act; and generally relating to damage caused by certain activities of gas exploration or production.

BY adding to  
Article – Environment  
Section 14–110.1 and 14–110.2  
Annotated Code of Maryland



(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1124 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County Metropolitan Commission – Revisions and Corrections**

FOR the purpose of repealing a requirement that each sanitary district in St. Mary’s County be a separate taxing district; repealing a prohibition against a certain adverse effect as a result of a change of sanitary district lines; altering the notice requirements for certain water supply and sewerage system studies and plans; repealing a requirement that the County Commissioners of St. Mary’s County make a certain decision; repealing a provision making the Mattapany District exempt from certain provisions of law; repealing a requirement that certain sums be repaid out of certain bonds issued for a particular sanitary district; altering the calculation of the total amount of certain bonds that the St. Mary’s County Metropolitan Commission may issue; altering the procedures for retiring and paying the interest on certain bonds; altering the required procedures for bids for construction; altering the amount the Commission may expend on certain goods, materials, or services without advertising and receiving competitive bids; making it discretionary rather than mandatory that the Commission impose and collect a reasonable collection fee under certain circumstances; requiring a certain charge to apply uniformly to certain types of properties; authorizing the Commission to create additional uniform rates for certain other property classifications; repealing certain due dates for certain charges; authorizing certain services rates to include State or federally mandated fees or charges; repealing a requirement that the cost of a certain meter be at the sole expense of the Commission; renaming a certain benefit assessment to be a System Improvement Charge; establishing a right of entry to certain locations under certain circumstances; altering a certain exemption from a certain charge applied to church property; altering the properties for which the Commission is required to impose and collect a certain per equivalent dwelling unit (EDU) system improvement charge; requiring the Commission to impose and collect a certain per EDU system improvement charge at the same time the EDU is allocated; repealing a certain recordkeeping requirement; requiring a certain charge to be paid in perpetuity under certain circumstances when a property is acquired in a certain manner; requiring a certain court order to provide for payment for certain charges in a certain manner; altering the conditions under which a certain condemning authority is required to pay certain charges; making stylistic and technical changes; and generally relating to the St. Mary’s County Metropolitan Commission.

BY repealing and reenacting, with amendments,  
The Public Local Laws of St. Mary’s County

Section 113–1 A., 113–3 B., 113–4, 113–5, 113–6 A., 113–7 A., 113–8, 113–12, 113–14 A. and C., 113–16 B., 113–19, 113–22, 113–26, 113–27 B. and C., and 113–29

Article 19 – Public Local Laws of Maryland  
(2007 Edition and January 2011 Supplement, as amended)

BY repealing and reenacting, without amendments,  
The Public Local Laws of St. Mary’s County  
Section 113–14 B.  
Article 19 – Public Local Laws of Maryland  
(2007 Edition and January 2011 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1125 – Howard County Delegation**

AN ACT concerning

#### **Howard County – Casino Events – Authorized Ho. Co. 6–12**

FOR the purpose of authorizing certain organizations to hold certain casino events in Howard County at certain intervals of time; requiring an organization to obtain a permit from the Howard County Department of Inspections, Licenses, and Permits before operating a casino event; requiring the Howard County Executive to forward a recommendation to the Howard County Council concerning the fee to be charged for a permit; requiring the County Council to adopt by resolution the amount of the permit fee; specifying the types of organizations eligible to conduct a casino event; requiring a permit holder for a casino event to ensure that certain standards are met; prohibiting a permit holder from offering cumulative money prizes in excess of a certain amount; specifying certain prohibited acts and reporting requirements for a permit holder for a casino event; requiring the Department to adopt certain regulations governing casino events; altering in Howard County the application of certain general provisions of law governing gaming in the State; establishing certain exceptions to prohibitions against conducting a casino event or operating or awarding prizes using certain gaming devices; and generally relating to casino events in Howard County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1601, 13–1603, and 13–1604  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law

Section 13-1602.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1126 – Delegates Schulz, Hogan, and Stifler**

AN ACT concerning

**Alcoholic Beverages – Farm Brewery Manufacturer’s License**

FOR the purpose of creating a Class 8 farm brewery manufacturer’s license; specifying a certain annual fee for the license; authorizing a licensee to sell and deliver beer manufactured in a facility on the licensed farm or in another facility to certain persons; requiring that the beer be manufactured in a certain manner; requiring that a farm brewery be located only at the place stated on the license; providing that a licensee may exercise the privileges of the license, notwithstanding local law; specifying the privileges that may be exercised by a licensee, including providing samples of beer, selling certain foods, storing beer, brewing beer, bottling beer, or contracting for a certain number of barrels of beer each calendar year; specifying the times during which a licensee may exercise the privileges of the license; specifying the days of operation for a licensee; specifying that certain provisions of law apply to a licensee; authorizing a licensee to sponsor a certain multibrewery activity at the licensed farm under certain conditions; specifying the privileges that a licensee may exercise at a multibrewery activity and the times that the activity may be held; authorizing the Office of the Comptroller to issue a special brewery promotional event permit to a licensee under certain conditions; specifying the privileges that may be exercised by the licensee at the special brewery promotional event; requiring that the beer at the special brewery promotional event be sold by the glass and for consumption on the premises only; and generally relating to Class 8 farm brewery licenses.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2-201(a)

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages

Section 2-209

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1127 – Delegates Schulz, Clagett, Hogan, Hough, and Otto**

AN ACT concerning

**Alcoholic Beverages – Micro–Breweries and Pub–Breweries – Class 7 Limited Beer Wholesaler’s License**

FOR the purpose of authorizing the holder of a pub–brewery or micro–brewery license to apply for and obtain certain additional licenses under certain conditions; authorizing a holder of a micro–brewery license to provide samples of beer in a certain amount at the licensed location at no charge or for a fee; repealing a certain limit on the amount of beer that a holder of a micro–brewery license may sell at retail for consumption on the licensed premises; repealing a restriction on the beer that a holder of a micro–brewery license may sell at retail for consumption off the licensed premises; creating a Class 7 limited beer wholesaler’s license; specifying certain fees for the limited beer wholesaler’s license; authorizing the issuance of a limited beer wholesaler’s license to a beer manufacturer that meets certain requirements; authorizing a holder of a limited beer wholesaler’s license to exercise certain privileges under certain conditions; specifying that a holder of a limited beer wholesaler’s license may cancel certain beer franchise agreements under certain conditions; and generally relating to the manufacture, distribution, and sale of beer in the State.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–201(b)(1), 2–208, 2–301, 17–103, and 17–104  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1128 – Delegates Myers, Afzali, Beitzel, Boteler, Donoghue, Hough, Ivey, K. Kelly, Parrott, Ready, Schulz, and Serafini**

AN ACT concerning

**Income Tax – Tax Credit for Wineries and Vineyards**

FOR the purpose of allowing a credit against the State income tax for certain qualified expenditures at certain wineries and certain vineyards; requiring the Maryland Department of Agriculture to administer a certain tax credit; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain expenditures at certain wineries and certain vineyards.

BY adding to

Article – Tax – General  
Section 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1129 – Delegates Krebs and Walker**

AN ACT concerning

**Fairness in Taxation for Retirees Act**

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain retirement income.

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1130 – The Speaker (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

**Land Use – Cross-References and Corrections**

FOR the purpose of correcting certain cross-references to the Land Use Article in the Annotated Code of Maryland; correcting certain errors and omissions in and relating to the Land Use Article; clarifying the application of certain provisions; making stylistic changes; providing for the termination of a certain provision of this Act, subject to a certain contingency; and generally relating to the Land Use Article and cross-references and corrections to it.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–103

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 23A – Corporations – Municipal  
Section 9(c)(2) and 19(o)(4) and (s)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 10J–1  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25A – Chartered Counties of Maryland  
Section 5(X)(1)(ii) and (BB)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(10)(ii), (v), and (xi)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–1303(d)(19)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 5–203.1(b)(2)(i), 9–505(a)(1), 9–506(a)(1)(ii), 9–1601(ee), 14–508(a)(9),  
and 15–804(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 13–1014(a)(3)(ii)1., 13–1101(g), and 13–1111(g)(8)(ii)1.  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 5–102.1(d)(2)(i) and (e) and 5–9B–04(b)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1304(b) and 8–1808(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 4–209(a) and 21–301(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–108.1(a)(4) and (f)(1) and 4–110  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–706 and 5–7B–01(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–821(c), 15–830, and 15–835(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–241(a) and 9–204(a)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1131 – Delegates Fisher, Myers, and Serafini**

AN ACT concerning

**Transportation – Temporary Advertising Signs on State Highways –  
Weekends**

FOR the purpose of authorizing a person to place or maintain temporary advertising signs that meet certain requirements on a State highway under certain circumstances; providing that certain provisions of law regulating the placement and maintenance of outdoor signs in certain locations do not apply to a sign placed in accordance with this Act; prohibiting the State Highway Administration from charging a fee for a certain permit; authorizing the Administration to enter into a public–private partnership with an entity to allow the entity to display and maintain a sign on a State highway; making stylistic changes; and generally relating to temporary advertising signs on certain highways.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605 and 8–714  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1132 – Delegates Fisher, Glass, Myers, and Serafini**

AN ACT concerning

**State Highways – Telematics Technology – Request for Proposals**

FOR the purpose of requiring the State Highway Administration, in collaboration with the Maryland Transportation Authority, to initiate the process to issue a request for proposals on or before a certain date to install telematics technology along or near State highways; providing that the request for proposals be issued in accordance with certain procurement requirements; defining a certain term; and generally relating to telematics technology and State highways.

BY adding to  
Article – Transportation  
Section 8–655  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1133 – Delegate Carter**

EMERGENCY BILL



AN ACT concerning

**State Highway Administration – Closure of Interstate 70 for Red Line Transit Project Expansion Prohibited**

FOR the purpose of prohibiting the State Highway Administration from closing the portion of Interstate 70 that is east of Interstate 695 in the Baltimore region to allow for the construction of the Red Line transit project expansion; requiring the Administration to keep open and maintain for use by motor vehicles the portion of Interstate 70 that is east of Interstate 695 in the Baltimore region whether or not the Red Line transit project is constructed; requiring the Administration to obtain the consent of certain persons regarding a certain matter; making this Act an emergency measure; and generally relating to a prohibition against the closing of a certain portion of Interstate 70 east of Interstate 695 in the Baltimore region.

BY repealing and reenacting, without amendments,

Chapter 2 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009  
Section 1

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1134 – Delegate Carter**

AN ACT concerning

**Maryland Lead Poisoning Recovery Act**

FOR the purpose of requiring certain manufacturers of lead pigment to reimburse certain persons for certain damages caused by lead-based paint; establishing the types of damages for which certain manufacturers of lead pigment are required to pay reimbursement; providing that certain manufacturers of lead pigment may be held liable under any legally recognized theory of liability; providing that failure to join a certain manufacturer in a certain action does not constitute failure to join a required party for any purpose; providing that a person is not required to prove that a manufacturer manufactured the lead pigment contained in certain lead-based paint that caused the damage to establish the liability of the manufacturer; requiring the person to prove by a preponderance of the evidence certain elements in order to recover damages; requiring a trier of fact, if a party satisfies a certain burden of proof against a certain manufacturer to find the manufacturer liable, unless the manufacturer establishes certain facts by a preponderance of the evidence; requiring the trier of fact, if a certain manufacturer is found liable for certain damages, to make a certain finding and enter a certain judgment based on certain factors; providing

that a certain manufacturer who is found to be liable is subject to joint and several liability; establishing a duty of a certain attorney to notify and reimburse the State for certain expenses; declaring a certain action under this Act is not exclusive and is independent of and in addition to any right, remedy, or cause of action available to the State; allowing medical assistance expenditures attributable to lead paint to be proved or disproved by evidence of statistical analysis; creating the Lead Paint Restitution Fund; declaring a certain intent of the General Assembly; defining certain terms; providing for the application of this Act; and generally relating to the liability of manufacturers for damage caused by lead pigment in lead-based paint.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1801 through 3–1809 to be under the new subtitle “Subtitle 18.  
Maryland Lead Poisoning Recovery Act”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1135 – Delegate Vitale**

AN ACT concerning

#### **Public Safety – Handgun Permits – Qualifications**

FOR the purpose of altering a certain provision of law so as to require the Secretary of State Police to issue a certain handgun permit to a certain person within a certain number of days, instead of within a reasonable time; prohibiting the Secretary of State Police from issuing a certain handgun permit to a person who the Secretary finds is prohibited from possessing a certain regulated firearm under a certain provision of law, is an illegal alien, has been discharged from the armed forces of the United States under dishonorable conditions, has a pending charge for a felony or a misdemeanor for which a sentence of imprisonment for more than a certain amount of time may be imposed, or has not completed a certain firearms safety training course, unless a certain ground for exemption applies; repealing the requirement that the Secretary find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–133

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1136 – Delegate Reznik**

AN ACT concerning

#### **Environment – Recycling – Manufacturer Takeback for E-Waste**

FOR the purpose of authorizing certain fees to be deposited in the State Recycling Trust Fund; prohibiting, beginning on a certain date, a certain electronics manufacturer from selling, offering for sale, or delivering for subsequent sale a certain electronic device in the State unless a certain label is permanently affixed to the device and the manufacturer has registered with and submitted a certain fee to the Department of the Environment in a certain manner; prohibiting a certain electronics manufacturer from selling, offering to sell, or delivering for sale certain electronic devices unless, beginning on or before a certain date, the manufacturer implements and finances a certain takeback program and submits certain reports to the Department; requiring a certain electronics equipment manufacturer to register with the Department in a certain manner; establishing registration fees for certain manufacturers; requiring the Department to deposit certain fees in the State Recycling Trust Fund; authorizing the Department to require electronic filing of certain information; authorizing the Department to participate in a certain clearinghouse for certain registrations; requiring the Department, with a certain exception, within a certain time period, to post on its Web site a certain registration for public review and comment; requiring the Department to review a certain registration; requiring the Department, within a certain time period, to notify a manufacturer of a certain approval or insufficiency; requiring the Department to maintain and post on its Web site certain lists; requiring a certain manufacturer on or before a certain date to implement and finance a certain electronics takeback program in accordance with certain requirements; authorizing a manufacturer to fulfill certain requirements of this Act in a certain manner; providing that each manufacturer is responsible for all administrative and operational costs associated with a certain program; prohibiting a manufacturer from charging a fee for certain services with a certain exception; requiring a manufacturer to ensure that a certain vendor has a certain certification and does not use prison labor to recycle certain equipment; designating a certain standard as preferred; establishing certain statewide recycling or reuse goals; establishing certain manufacturer recycling goals; providing for the determination of certain market shares; requiring the Department on or before a certain date, to provide a certain manufacturer a

certain market share determination; establishing a recycling shortfall fee and providing for the calculation and payment of the fee; requiring a recycling shortfall to be paid into a certain fund; establishing and authorizing the use of certain recycling credits beginning on a certain date; requiring a manufacturer to submit a certain annual report to the Department; prohibiting a retailer from, beginning on a certain date, with a certain exception, selling or offering to sell certain electronic devices; requiring certain retailers to provide certain information to certain purchasers; requiring the Department to provide certain information to certain retailers; authorizing the Department to participate in a certain organization or compact; prohibiting certain persons beginning on certain dates from disposing of certain electronic devices in a certain manner; requiring certain persons beginning on or before a certain date to provide certain information in a certain manner to users of certain waste management facilities; authorizing a manufacturer to assume the obligations of a certain other manufacturer under certain circumstances; providing for the joint and several liability of certain manufacturers; requiring the Department to adopt certain regulations; authorizing the Department to adopt certain regulations; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring the Department on or before a certain date to submit an annual report to the General Assembly on the implementation of a certain program and to make the report available to the public on the Department's Web site; altering certain defined terms; defining certain terms; making the provisions of this Act severable; and generally relating to the recycling of electronic equipment.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701, 9–1707(f), and 9–1727 through 9–1730

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 9–1727, 9–1730 through 9–1735, 9–1737 through 9–1740, and 9–1743

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1137 – Delegate Carter**

AN ACT concerning

#### **Baltimore City – Juvenile Detention Facilities – Moratorium**

FOR the purpose of prohibiting the Department of Public Safety and Correctional Services from planning or constructing a certain detention facility in Baltimore

City; prohibiting the planning or construction of any detention facility for juveniles in Baltimore City until a task force has conducted a study on implementing certain recommendations; stating the intention of the General Assembly that all State funding that would have been used to construct or operate a certain facility be redirected for a certain purpose; and generally relating to detention facilities in Baltimore City.

BY adding to

Article – Correctional Services

Section 5–407

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1138 – Delegates Carter, Alston, Anderson, Dumais, Lee, Mitchell, Oaks, Parrott, Smigiel, and Washington**

AN ACT concerning

**Criminal Procedure – Arrest of Minor – Notification of Parent or Guardian**

FOR the purpose of requiring a certain law enforcement officer who charges a minor with a criminal offense to make a reasonable attempt to notify the minor's parent or guardian of the charge; requiring a certain law enforcement officer or the officer's designee who takes a minor into custody to make a reasonable attempt to notify the minor's parent or guardian of the arrest within a certain time period; and generally relating to notification of a parent or guardian of the arrest of a minor.

BY adding to

Article – Criminal Procedure

Section 2–108

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1139 – Delegates Schuh, Feldman, Haddaway–Ricchio, Harrison, and Minnick**

AN ACT concerning

**Unauthorized Signs on Highway Rights-of-Way – Exceptions**

FOR the purpose of exempting a sign placed or maintained by a home builder or real estate broker during certain time periods from the prohibition against placing

or maintaining a sign within the right-of-way of a State highway; making a stylistic change; and generally relating to the placement and maintenance of signs on State highway rights-of-way.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1140 – Delegates Pendergrass, Hammen, Hubbard, A. Kelly, Kipke, McDermott, Nathan–Pulliam, and Pena–Melyk**

AN ACT concerning

**Physicians – Sharing of Information with Maryland Health Care Commission**

FOR the purpose of adding the Maryland Health Care Commission to the list of entities to which the Health Services Cost Review Commission may disclose certain physician information; requiring the State Board of Physicians to disclose information contained in a record to the Maryland Health Care Commission for a certain purpose; adding the Maryland Health Care Commission to the list of entities that must adopt regulations for a certain transfer of information in a record; altering the date by which the regulations must be adopted; and generally relating to sharing information about physicians with the Maryland Health Care Commission for the purpose of identifying practice patterns and investigating quality or utilization of care in certain regulated entities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–411(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–411(d) and (e)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk**

AN ACT concerning

**Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services**

FOR the purpose of requiring, with a certain exception, a certificate of need for the establishment of percutaneous coronary intervention (PCI) services; requiring, beginning on a certain date, an acute general hospital to have a certificate of conformance before the hospital may establish primary PCI services or nonprimary PCI services; prohibiting the Maryland Health Care Commission from issuing a certificate of conformance unless the Commission finds that the proposed primary PCI services or proposed nonprimary PCI services meet certain standards; providing that a certificate of conformance is not required, notwithstanding certain provisions of this Act, for an acute general hospital to establish primary PCI services under certain circumstances; requiring an acute care hospital that provides cardiac surgery or PCI services under certain authorization to obtain and maintain a certificate of ongoing performance to continue to provide cardiac surgery services, primary PCI services, or nonprimary PCI services; requiring an acute general hospital that is providing nonprimary PCI services under a research waiver issued by the Commission to obtain a certificate of conformance for its nonprimary PCI services before it may obtain a certificate of ongoing performance to provide the nonprimary PCI services; requiring the Commission to adopt certain regulations; requiring the regulations to include certain items; establishing certain parameters for the process established by the Commission for issuing a certificate of conformance; authorizing a certain hospital, notwithstanding certain provisions of this Act, to provide nonprimary PCI services until the Commission takes certain actions; defining certain terms; and generally relating to the regulation of cardiac surgery and percutaneous coronary intervention services by the Maryland Health Care Commission.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–120(j)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General

Section 19–120(j)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 19–120.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1142 – Delegates Carter, Vallario, Anderson, Mitchell, and Simmons**

AN ACT concerning

**Criminal Procedure – Bail Review Hearing – Determination Regarding Place of Detention of Minor**

FOR the purpose of providing that, notwithstanding any other law or rule, at a certain bail review hearing, if the defendant is a minor and the court orders the continued detention of the defendant, the court in its discretion shall determine whether the defendant shall be held in an adult detention facility or a juvenile detention facility pending further proceedings; and generally relating to pretrial procedures in criminal proceedings.

BY adding to  
Article – Criminal Procedure  
Section 4–102.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1143 – Delegates Lee, Arora, Barve, Cane, Carr, Cullison, DeBoy, Frick, Glenn, Healey, Ivey, Jameson, A. Kelly, McDonough, A. Miller, B. Robinson, S. Robinson, Stocksdales, and Valderrama**

AN ACT concerning

**Criminal Law – Home Invasion Violent Crime and Armed Home Invasion Violent Crime**

FOR the purpose of prohibiting a person from breaking and entering the dwelling of another and committing a violent crime against a certain victim; prohibiting a



person from employing or displaying a dangerous weapon during the commission of a home invasion violent crime; establishing certain criminal penalties; authorizing a sentence imposed under this Act to be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the home invasion violent crime or armed home invasion violent crime; defining a certain term; altering a certain definition; and generally relating to the prohibition of home invasion violent crimes.

BY adding to

Article – Criminal Law

Section 3–1001 to be under the new subtitle “Subtitle 10. Home Invasion Violent Crime”

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 14–101(a)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1144 – Delegates Lee, Frick, and A. Kelly**

AN ACT concerning

**Creation of a State Debt – Montgomery County – National Center for  
Children and Families Youth Activities Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the National Center for Children and Families for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1145 – Delegate Haynes**

AN ACT concerning

**Income Tax Credit – Flexible Workweek**

FOR the purpose of allowing certain business entities a credit against the State income tax for the cost of providing a flexible workweek to the employees of the business entity; requiring that a certain number of the full-time employees of a business entity must work a flexible workweek in order for the business entity to claim the credit; providing that the credit may not exceed a certain amount; providing that certain organizations exempt from taxation may receive the credit as a refund under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for offering a flexible workweek.

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1146 – Delegates Dumais, Simmons, Anderson, Arora, Barnes, Clippinger, Glenn, Hough, K. Kelly, Krebs, Lee, McComas, McDermott, Mitchell, and Waldstreicher**

AN ACT concerning

### **Domestically Related Crimes – Reporting**

FOR the purpose of requiring the court, on request of the State’s Attorney, to determine whether a crime for which a defendant is convicted or receives a probation before judgment disposition is a domestically related crime; establishing that the State has the burden of proving by a preponderance of the evidence that the crime is a domestically related crime; requiring a finding by the court that a crime is a domestically related crime to become part of the court record for certain purposes; expanding the list of events that are required to be reported to the Criminal Justice Information System Central Repository to include a finding by a court that a defendant has been convicted of or received a probation before judgment disposition for a domestically related crime; defining a certain term; and generally relating to the reporting of domestically related crimes.

BY adding to

Article – Criminal Procedure

Section 6–233

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure

Section 10–215  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–501(a) and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1147 – Delegates Valentino–Smith, Alston, Carter, McComas,  
Mitchell, Mizeur, Valderrama, Vallario, and Wilson**

AN ACT concerning

**Correctional Services – Inmate Welfare Fund – Telephone Financial  
Assistance**

FOR the purpose of requiring the managing official of a local correctional facility with an inmate welfare fund to adopt regulations that require a portion of the profits derived from telephone commissions to be used for telephone calls that take place between an inmate and the minor child of an inmate; requiring that distributions be made according to the financial need of an inmate; and generally relating to inmate welfare in local correctional facilities.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 11–901, 11–903, and 11–904  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–902  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1148 – Delegates Lee, Pena–Melynk, Gutierrez, Arora, Cane, Carr,  
Conaway, Cullison, DeBoy, Dumais, Elliott, Glenn, Healey, Jameson,  
A. Kelly, Luedtke, A. Miller, Nathan–Pulliam, B. Robinson, S. Robinson,  
Stocksdale, and Valderrama**

AN ACT concerning

**Courts – Victims of Crime – Interpreters**

FOR the purpose of altering certain requirements relating to the use of an interpreter in court to include the appointment of an interpreter for a victim or victim's representative who is deaf or cannot readily understand or communicate the spoken English language; authorizing a victim or victim's representative to apply for appointment of a certain interpreter; making conforming changes; making a certain technical correction; and generally relating to interpreters in court proceedings.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 9–114(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–104(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1149 – Delegates Lee, Smigiel, Afzali, Beitzel, Clagett, Conaway, Cullison, DeBoy, Hammen, Healey, Howard, Jameson, Kach, A. Kelly, McComas, Nathan–Pulliam, Pendergrass, B. Robinson, Stocksdales, Tarrant, and V. Turner**

AN ACT concerning

**Health Insurance – Coverage for Telemedicine Services**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide the same coverage for health care services delivered in person or through a telemedicine service; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding a health care service from coverage solely because it is delivered by a telemedicine service and not in another manner; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to reimburse health care providers for certain services on a certain basis under certain circumstances; authorizing the imposition of a deductible, copayment, coinsurance amount, annual dollar maximum, or lifetime dollar maximum under certain circumstances; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to undertake certain utilization review under certain circumstances; prohibiting

a health insurance policy or contract from distinguishing between patients in rural or urban locations in providing certain coverage; providing that a certain decision constitutes a certain adverse decision under certain circumstances; requiring the Maryland Medical Assistance Program to provide certain reimbursement under certain circumstances; making certain provisions of this Act applicable to health maintenance organizations; providing that the health benefit options that the Secretary of Budget and Management includes in the State Employee and Retiree Health and Welfare Benefits Program may not discriminate in a certain manner and shall provide certain coverage; requiring the Department of Public Safety and Correctional Services to make a certain study and report to the General Assembly on or before a certain date; defining a certain term; providing for the application of this Act; and generally relating to coverage for telemedicine services under health insurance.

BY adding to

Article – Insurance  
Section 15–139  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–105.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 19–706(III)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 2–518  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1150 – Delegate A. Kelly**

AN ACT concerning

**Health Occupations – Qualifications for Licensure – Mortuary Science,  
Funeral Direction, and Apprenticeship**

FOR the purpose of altering the circumstances under which the State Board of Morticians and Funeral Directors is required to issue a mortician or funeral director license to certain individuals; requiring an individual who is seeking approval of an apprentice license to complete certain credits at a certain school or in a certain course that has both a certain accreditation and is approved by the Board; and generally relating to the requirements for licensure in mortuary science and funeral direction and for approval of an apprentice license.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–303(b)(3) and 7–306(d)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1151 – Delegate A. Kelly**

AN ACT concerning

**Maryland Medical Assistance Program – Waiver for Children with Autism Spectrum Disorder – Military Families**

FOR the purpose of requiring the Department of Health and Mental Hygiene and the State Department of Education to develop a process through which children receiving services through the Home– and Community–Based Services Waiver for Children with Autism Spectrum Disorder who lose eligibility for waiver services due to certain circumstances are able to resume the receipt of waiver services under certain circumstances; requiring the Department of Health and Mental Hygiene and the State Department of Education to adopt certain regulations; and generally relating to eligibility for the Home– and Community–Based Services Waiver for Children with Autism Spectrum Disorder.

BY adding to  
Article – Health – General  
Section 15–147  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1152 – Delegate Haynes**

AN ACT concerning

**Sustainable Communities Tax Credit – Residential Units for Lower–Income  
Individuals**

FOR the purpose of making certain rehabilitations ineligible for the Maryland Sustainable Communities Tax Credit unless the entity seeking the credit agrees to set aside a certain number of residential rental units as housing for households whose median income is below a certain percentage of the area median income; providing for the application of this Act; and generally relating to a requirement that certain rehabilitations seeking the Maryland Sustainable Communities Tax Credit set aside a certain number of residential rental units for households with certain incomes.

BY adding to

Article – State Finance and Procurement

Section 5A–303(c)(5)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1153 – Delegates Luedtke, Anderson, Arora, Barnes, Bobo, Burns, Carr, Carter, Clippinger, Cullison, Dumais, Feldman, Frush, Gaines, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Hubbard, Hucker, Ivey, Kaiser, A. Kelly, Lee, McIntosh, A. Miller, Mizeur, Murphy, Oaks, Pena–Melnik, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, Vaughn, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Tobacco Tax – Healthy Maryland Initiative**

FOR the purpose of providing that the Tobacco Use Prevention and Cessation Program shall receive funding from the Other Tobacco Products Tax Fund under certain circumstances; requiring money from the Fund to be used to supplement appropriations to the Tobacco Use Prevention and Cessation Program to reach a certain level of funding; requiring the revenue from the tobacco tax on other tobacco products to be deposited into the Fund after certain other distributions; altering the tobacco tax rates on cigarettes and other tobacco products; requiring a wholesaler to report the amount of other tobacco products sold on a tobacco tax return; establishing the Other Tobacco Products Tax Fund; establishing the purpose and uses of the Fund; requiring the Comptroller to administer the Fund; providing that certain unspent or unencumbered funds do not revert to the General Fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund;

designating the money to be deposited into the Fund; requiring the money in the Fund to be used to provide funding to the Tobacco Use Prevention and Cessation Program and certain other health initiatives in a certain manner; requiring the Treasurer to invest the money in the Fund in the same manner as other State money; requiring the investment earnings of the Fund to be deposited into the Fund; providing that money expended from the Fund for the Tobacco Use Prevention and Cessation Program and certain other health initiatives is supplemental; defining certain terms; and generally relating to the taxation of cigarettes and other tobacco products.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13–1002(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1002(d)(1) and 13–1015  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 2–1601 and 2–1602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 2–1602.1; and 12–401 to be under the new subtitle “Subtitle 4. Other Tobacco Products Tax Fund”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1603, 12–105, and 12–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

**House Bill 1154 – Delegates Lee, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Hough, Howard, Ivey,**



**Jones, A. Kelly, Love, McComas, A. Miller, Nathan–Pulliam,  
Pena–Melnyk, B. Robinson, Stukes, Tarrant, V. Turner, Valderrama,  
and Washington**

**EMERGENCY BILL**

AN ACT concerning

**Harriet Tubman Day**

FOR the purpose of requiring the Governor to proclaim a certain day as Harriet Tubman Day; and making this Act an emergency measure.

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1155 – Delegates Frick, Carr, Hixson, Hucker, A. Kelly, Lee, Mizeur, and Waldstreicher**

AN ACT concerning

**Income Tax – Subtraction Modification – Land Acquisition for  
Transportation–Related Projects**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for a payment by the State Highway Administration for the acquisition of a portion of an individual's property for use in certain transportation projects; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain payments by the State Highway Administration.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1156 – Delegate Frick**

AN ACT concerning

**Motor Fuel Tax – Increase – Construction Cost Index**

FOR the purpose of altering the motor fuel tax rates for certain motor fuel on certain dates by certain amounts; providing for the alteration of the motor fuel tax rates for certain motor fuel under certain circumstances twice annually beginning on a certain date based on the percentage growth in a certain cost index; prohibiting an increase of the motor fuel tax rates for certain motor fuel of more than a certain amount in a certain period; requiring the Comptroller to determine and announce the percentage growth in a certain cost index and the motor fuel tax rates for certain motor fuel on certain dates; requiring persons who hold tax-paid motor fuel on the date of an increase in the motor fuel tax to remit any additional tax due on the fuel; defining a certain term; and generally relating to increasing the motor fuel tax rates for certain motor fuel and indexing the tax rates to a certain cost index.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 9–305

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1157 – Delegates Hershey, Afzali, Bates, Boteler, Cluster, Eckardt, Elliott, Frank, Glass, Haddaway–Riccio, Jacobs, Kach, Kipke, Krebs, McComas, McDermott, W. Miller, Norman, O’Donnell, Ready, Schulz, Serafini, Stocksdale, and Szeliga**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation enacted into law; prohibiting the Authority, subject to a certain exception, from charging and collecting a toll that exceeds the amount of the toll in effect before a certain date; making a technical change; making this Act an emergency measure; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1158 – Delegates Morhaim, Barnes, Barve, Bobo, Boteler, Burns, Cardin, Carr, Clagett, Cullison, Donoghue, Dumais, Feldman, Frank, Glass, Glenn, Harrison, Hixson, Hubbard, Huckler, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Luedtke, McIntosh, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Smigiel, Stein, Stukes, Tarrant, F. Turner, Washington, and Weir**

AN ACT concerning

### **Medical Marijuana Oversight Commission**

FOR the purpose of making marijuana a Schedule II controlled dangerous substance; prohibiting certain persons from distributing or dispensing marijuana to certain persons; providing for a certain penalty; establishing an independent Medical Marijuana Oversight Commission; providing for the purpose and membership of the Commission; specifying the terms of the initial members of the Commission; providing for the appointment of a chair and vice chair of the Commission; providing that a member of the Commission may not receive certain compensation but is entitled to certain reimbursement; authorizing the Commission to employ a certain staff; requiring the Commission to consult with certain experts and to meet with a certain frequency; providing for the powers and duties of the Commission; authorizing the Commission to contract with certain entities; requiring the Commission to adopt certain regulations on or before a certain date; authorizing the Commission to suspend or revoke certain registrations; authorizing the Commission to inspect certain entities; requiring the Commission to approve certain certifications of certain physicians; requiring a physician certification to be renewed annually; requiring a certain proposal from a physician to the Commission to include certain information; encouraging the Commission to approve certain applications; exempting certain physicians from certain penalties for certain actions; requiring a certifying physician to submit a certain annual report to the Commission at a certain time; authorizing the Commission to set certain fees; authorizing an academic medical center to apply to the Commission to conduct certain research; requiring the Commission to approve certain applications for registration from academic medical centers; providing the expiration and renewal of proposal from a registered academic medical center; requiring a proposal from an academic medical center to include certain information; encouraging the Commission to approve certain applications from academic medical centers; requiring a registered academic medical center to submit a certain annual report to the Commission at a certain

time; requiring the Commission to issue a request for applications for registration as a grower; requiring the Commission to require an applicant for registration as a registered grower to provide certain information; requiring the Commission to approve the fewest number of registered growers as is reasonable; providing for the expiration and renewal of a registration as a registered grower; providing that a registered grower is exempt from certain State and local penalties for certain actions; requiring a registered grower to meet certain security and safety standards and submit to certain testing of certain marijuana; requiring a registered grower to conduct a certain background check on certain employees; prohibiting a registered grower from holding certain registrations or being a certifying physician; prohibiting certain individuals from being an employee of a registered grower unless the registered grower is also an academic medical center; requiring the Commission to adopt certain regulations after consulting with the Department of Agriculture and State Police; requiring the commission to establish certain fees; requiring the Commission to establish a registration program to register dispensing pharmacies, dispensing centers, and academic medical centers; requiring the Commission to require an applicant for dispensing center, dispensing pharmacy, or academic medical center registration to provide certain information to the Commission; requiring the Commission to charge certain fees for certain applications and for the issuance of certain registrations; providing that a registered academic center is not required to be registered as a dispensing center; requiring certain entities seeking to operate as a dispensing center to perform a certain criminal history records check on each employee; prohibiting certain individuals from obtaining a registration to operate a dispensing center or to be an employee of a dispensing center; requiring certain entities to require employees of the entity to submit to certain drug testing; requiring the Commission to issue a certain registration if certain conditions are met; authorizing the Commission to set reasonable limits on the number of dispensing centers in the State or in a geographic area; requiring the Commission to assign a certain identification number to certain entities; providing that a denial of a certain application shall be considered a final agency decision for a certain purpose; requiring entities that have been issued a certain registration to display the registration in a certain manner and to report certain changes to the Commission at a certain time; prohibiting entities that have been issued a certain registration from holding certain registrations or being a certifying physician; providing for certain restrictions on the advertisement of the sale of marijuana; requiring the Commission, in consultation with State and local law enforcement, to develop certain regulations providing for the issuance of registry identification cards; requiring the Commission to issue a registry identification card to certain patients; requiring a qualifying patient to submit certain information to the Commission; providing for the manner in which the Commission shall approve, deny, and issue a registry identification card; requiring the Commission to deny a request for a primary caregiver for certain reasons; requiring each applicant to serve as a primary caregiver to submit to a certain criminal history records check; prohibiting certain individuals from serving as primary caregivers; requiring a

registry identification card to include certain information; requiring a primary caregiver or qualifying patient to provide a certain notice to the Commission under certain circumstances within a certain time period; requiring a certifying physician or registered academic medical center to provide a certain notice to certain patients and the Commission under certain circumstances and within a certain time period; requiring the Commission to establish certain procedures and to maintain a certain list of individuals to whom the Commission has issued registry identification cards; prohibiting employees of State and local law enforcement from querying certain records; exempting certain persons from certain penalties when acting in accordance with this Act; providing that the possession of, or application for, a registry identification card does not constitute probable cause to conduct a certain search or inspection; providing that an individual may not be subject to certain arrest or prosecution for being in the presence or vicinity of the medical use of marijuana as authorized by this Act; authorizing certain entities to sell or distribute a certain amount of marijuana in a certain time to certain individuals under certain circumstances; requiring registered dispensing pharmacies and registered dispensing centers to follow certain procedures and maintain certain records; providing that a qualifying patient may be registered at only one registered dispensing pharmacy or registered dispensing center at any time; providing for the construction of this Act; providing that this Act may not be construed to provide certain immunity to certain persons; providing that this Act may not be construed to require certain insurance reimbursement; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; authorizing the Commission to accept certain funds; requiring the Commission to use certain fees in a certain manner; authorizing the Commission to distribute certain funds to certain entities for a certain purpose; authorizing the Commission to provide certain funds to the General Fund; defining certain terms; and generally relating to marijuana for medical use.

BY renumbering

Article – Criminal Law

Section 5–403(d), (e), and (f), respectively

to be Section 5–403(e), (f), and (g), respectively

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–402(d)(1)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 5–403(d) and 5–611

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 13–3101 through 13–3116 to be under the new subtitle “Subtitle 31.

Medical Marijuana”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

**House Bill 1159 – Delegates Barkley, Arora, Barnes, Braveboy, Frick, Gilchrist, Hucker, Jameson, A. Kelly, Oaks, Reznik, S. Robinson, Waldstreicher, and Zucker**

AN ACT concerning

### **Working Families Flexibility Act**

FOR the purpose of authorizing an employee to request certain changes in the employee’s terms and conditions of employment; providing for the application of this Act to certain employers; providing for the contents of a certain application; requiring an employee and employer to meet by a certain time under certain circumstances; requiring an employer to give an employee a certain written decision by a certain time; providing for the contents of a certain written decision; authorizing an employee to be accompanied by a certain representative during a certain meeting; authorizing a certain meeting to be postponed under certain circumstances; prohibiting an employer from interfering with, restraining, or denying the exercise of certain rights, or taking certain actions under certain circumstances; authorizing certain employees to bring certain actions under certain circumstances; authorizing a court to award certain amounts to or order certain equitable relief for an employee who is the subject of an employer’s violation of this Act; requiring certain employers to keep certain records; providing for the construction of this Act; defining a certain term; and generally relating to flexibility with respect to the terms and conditions of employment.

BY adding to

Article – Labor and Employment

Section 3–712

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1160 – Charles County Delegation**

AN ACT concerning

**Family Law – Temporary Peace and Protective Orders – Duration**

FOR the purpose of extending the duration of a temporary peace order or a temporary protective order under certain circumstances; and generally relating to peace orders and protective orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1504(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1161 – Charles County Delegation**

AN ACT concerning

**Charles County – Assessment for Abatement of Zoning Violation**

FOR the purpose of authorizing the County Commissioners of Charles County to assess for abatement of zoning violations; adding the assessment to the annual tax bill of the property; specifying how the assessment will be collected; subjecting assessments to certain interest and penalties; specifying that an assessment is a lien against the property; providing for the effective date of this Act; and generally relating to assessment for abatement of zoning violations.

BY adding to  
Article – Land Use  
Section 9–807  
Annotated Code of Maryland  
(As enacted by Chapter\_\_ (S.B.\_\_/H.B.\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1162 – Delegate McMillan**

AN ACT concerning

**Ground Leases – Registration, Remedies, and Reorganization of Provisions**

FOR the purpose of prohibiting a ground lease holder from bringing a certain action unless the ground lease is registered with the State Department of Assessments and Taxation; repealing a certain deadline for registering a ground lease with the Department; repealing certain provisions of law relating to the extinguishment of the reversionary interest of a ground lease holder for failure to register the ground lease before a certain date; requiring the Department to prepare a certain Deed of Redemption that contains certain information; establishing the cost of recording a Deed of Redemption; requiring the clerk to forward a copy of a recorded Deed of Redemption to the Department; authorizing the holder of a certain ground lease to bring an action for ejectment for nonpayment under certain circumstances; repealing provisions of law providing that establishing a lien is the remedy for nonpayment of a ground rent on certain residential property; authorizing the holder of a ground rent to be reimbursed for certain expenses incurred in collecting past due ground rent and filing an action for ejectment; making a certain provision of law authorizing a certain action for possession applicable to certain actions for nonpayment of ground rent; transferring certain provisions of law governing ground leases and ground rents; making certain conforming changes; and generally relating to ground leases and ground rents.

BY renumbering

Article – Real Property

Section 8–111.1(c)

to be Section 8–730

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–101, 8–107, 8–109, 8–701, 8–702, 8–703, and 8–706

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Real Property

Section 8–402.3, 8–707, and 8–708

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–110, 8–110.1, 8–111.2, 8–402.2; 8–704, 8–705, 8–709, 8–710, and 8–711 to be under the amended subtitle “Subtitle 7. Ground



Leases”; 14–108.1(a), 14–115.1, 14–116, 14–116.1, 14–116.2, 14–117, and 14–129

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

New part designation “Part I. Definitions” to immediately precede 8–701; new part designation “Part II. Registration of Ground Leases” to immediately precede 8–702; Section 8–707 and 8–708; 8–714 to be under the new part “Part III. Redemption of Ground Leases”; 8–718 to be under the new part “Part IV. Enforcement”; 8–724 to be under the new part “Part V. Notice Requirements”; and new part designation “Part VI. Miscellaneous Provisions” to immediately precede 8–728

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–730

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1163 – Delegates Jacobs, Fisher, Hershey, and Norman**

AN ACT concerning

**Environment – Penalty for Sewage Overflow – Establishment and Distribution**

FOR the purpose of requiring the Department of the Environment to impose a civil penalty on certain persons for any sewage overflow or bypass that results in the discharge of raw or diluted sewage into the waters of the State; establishing a formula to determine the amount of the civil penalty; authorizing the Department to retain certain proceeds from the civil penalties to cover certain administrative expenses; requiring the Department to distribute certain proceeds from the civil penalties to the Fisheries Research and Development Fund for certain use; requiring the Department to adopt certain regulations; authorizing the receipt by the Fund of proceeds from the civil penalties; and generally relating to the establishment and distribution of civil penalties for a sewage overflow or bypass.

BY repealing and reenacting, without amendments,  
Article – Environment

Section 9–331.1(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–342  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–209  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1164 – Delegates Lee, Alston, Arora, Beidle, Bobo, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Howard, Ivey, Jones, Kaiser, A. Kelly, Love, McComas, A. Miller, Nathan–Pulliam, Pena–Melnik, B. Robinson, Stukes, Tarrant, V. Turner, Valderrama, and Washington**

AN ACT concerning

**State Government – Commemorative Days – Harriet Tubman Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Harriet Tubman Day; and generally relating to commemorative days.

BY adding to  
Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1165 – Delegates Dumais, McComas, Alston, Anderson, Arora, Carter, Clippinger, Cluster, Conaway, Hough, K. Kelly, Lee, McDermott, Mitchell, Simmons, Smigiel, Valderrama, Valentino–Smith, Vallario, and Waldstreicher**

AN ACT concerning

**Commission on Child Custody Decision Making**

FOR the purpose of establishing the Commission on Child Custody Decision Making; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to perform certain duties; requiring the Commission to submit certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Commission on Child Custody Decision Making.

Read the first time and referred to the Committee on Judiciary.

**House Bill 1166 – Delegate Love**

AN ACT concerning

**Gaming – Instant Bingo – Electronic Machines**

FOR the purpose of authorizing the operation of certain electronic instant bingo games using electronic machines; providing that the electronic instant bingo machines must have been in operation during a certain period or that the machines be in operation under a commercial bingo license on a certain date; prohibiting the operation of more than a certain number of electronic instant bingo machines than were in operation on a certain date; requiring the conduct of the gaming and the operation of certain electronic instant bingo machines to be consistent with certain provisions of law; clarifying that certain slot machines located in certain counties are not subject to certain provisions of law; clarifying that a certain handheld device is not considered a slot machine; requiring the Office of the Attorney General, the Department of State Police, and local law enforcement units to construe certain statutory provisions in a certain manner; making a certain decision by the State Lottery Commission a final determination as to whether a certain gaming device is legal and being operated in a lawful manner; authorizing the State Lottery Commission to refer certain matters for enforcement to the Department of State Police under certain circumstances; requiring the Commission to certify and regulate the operation, ownership, and manufacture of certain gaming devices; stating that a gaming device that is not licensed or otherwise operated in compliance with certain provisions of law as of a certain date may not legally operate in the State; requiring the Commission to adopt certain regulations related to the approval and licensing of certain gaming devices; authorizing the Commission to make certain determinations and charge certain fees; imposing a certain State admissions and amusement tax rate on electronic bingo in Calvert County; altering the revenue attributable from a certain tax rate distributed to a certain special fund; providing for the distribution of certain revenue and proceeds to Program Open Space, the Boys and Girls Club of the Town of North Beach, and certain municipal corporations in certain years; requiring the Commission to

certify the compliance with certain laws before certain electronic bingo machines may be authorized for use; authorizing a certain qualified organization to repair and replace electronic bingo machines under certain circumstances; requiring certain regulations to be at least as stringent as certain requirements; authorizing certain regulations to include certain provisions; and generally relating to the operation and regulation of instant bingo machines.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–113 and 12–301(3)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 12–301.1 and 12–308

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202 and 4–105(a–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1167 – Delegates Reznik, Bohanan, James, A. Kelly, Lee, A. Miller, and Sophocleus**

AN ACT concerning

**Cigarette Restitution Fund – Lung Cancer Screening and Biotechnology**

FOR the purpose of establishing a Lung Cancer Screening Component in the Cancer Prevention, Education, Screening, and Treatment Program; providing for the purpose of the Lung Cancer Screening Component; establishing the Lung Cancer Medical Committee; providing for the membership of the committee; providing for the selection of committee members; requiring the committee to consist of certain individuals with certain expertise; establishing the purpose of the committee; requiring the composition of the committee to reflect the racial and gender diversity of the State; providing for the length of a term of a member of the committee; authorizing the Governor to remove a member of the committee under certain circumstances; authorizing the committee to take action with an affirmative vote of a majority of its members; prohibiting a member of the committee from receiving certain compensation; providing that a

member of the committee may receive reimbursement for certain expenses; requiring the Governor to include a certain amount of funding in the budget for the Lung Cancer Screening Component; requiring the committee to distribute certain funds in a certain manner through the use of certain testing vouchers; authorizing the Department of Health and Mental Hygiene to make eligible reimbursement vouchers for different types of testing; requiring certain testing vouchers to be distributed to certain licensed physicians in Maryland; requiring an application and approval by a provider to participate in the Lung Cancer Screening Component; requiring an eligible provider to accept a certain testing voucher as compensation for providing certain services; requiring the Department to reimburse an approved provider for certain services on submission of a certain testing voucher; requiring the Department to establish the reimbursement rates for certain testing vouchers; establishing a Lung Cancer Biotechnology Research and Development Component in the Cancer Prevention, Education, Screening, and Treatment Program; providing that the purpose of the Lung Cancer Biotechnology Research and Development Component is to provide grants for certain research and development of certain devices that are useful in addressing lung cancer; requiring the Department to select grant awards based on the recommendations of the Department of Business and Economic Development's Life Sciences Advisory Board; requiring that priority be given to certain grants; requiring the Governor to include a certain amount of funding in the budget for the Lung Cancer Biotechnology Research and Development Component; establishing requirements that must be met before an applicant may receive a grant from the Lung Cancer Biotechnology Research and Development Component; prohibiting the Department of Health and Mental Hygiene from awarding a certain grant unless the Department first makes certain determinations; requiring that certain Academic Health Centers be given priority in awarding Statewide Academic Health Center Research Grants; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; defining certain terms; and generally relating to the Cancer Prevention, Education, Screening, and Treatment Program.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 13–1101(a), (e), and (u) and 13–1102(a), (b), (e)(1), and (f)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 13–1101(n–1) and (n–2) and 13–1117 through 13–1120

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1102(c) and 13–1116(a)(1)(ii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–317(a) and (f)(1)(ii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1168 – Delegates Lee and Pena–Melnyk**

AN ACT concerning

#### **State Government – Commemorative Months – Lyme Disease Awareness Month**

FOR the purpose of requiring the Governor to proclaim a certain month as Lyme Disease Awareness Month.

BY adding to  
Article – State Government  
Section 13–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1169 – Delegates Luedtke, Barve, Boteler, Branch, Hixson, Howard, Ivey, A. Miller, Serafini, Stukes, F. Turner, and Walker**

AN ACT concerning

#### **Table Games – Video Lottery Facilities**

FOR the purpose of providing that the State may authorize the holder of a video lottery operation license to offer table games in the State; specifying the type of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain legislation under certain circumstances; and submitting this Act to a referendum of the qualified voters of the State.

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1170 – Delegates Mizeur, Bobo, and Frush**

AN ACT concerning

**Fracking Records Transparency Act**

FOR the purpose of requiring a holder of a certain permit to drill for natural gas to keep and maintain certain records in accordance with certain requirements; requiring certain records to be updated weekly and made publicly accessible on a certain Web site; and generally relating to drilling for natural gas and record keeping.

BY adding to

Article – Environment

Section 14–110.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1171 – Delegate Barve**

AN ACT concerning

**Creation of a State Debt – Montgomery County – City of Rockville – Swim and Fitness Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and City Council of Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1172 – Delegates Mizeur, Bobo, and Frush**

AN ACT concerning

**Environment – Gas and Oil Lease Registry**

FOR the purpose of requiring the Department of the Environment to establish and maintain a certain gas and oil lease registry; requiring a certain person that holds a certain lease that grants gas or oil rights on certain property to register

with the Department in a certain manner; requiring the Department to collect a certain fee in a certain manner; defining a certain term; and generally relating to a gas and oil lease registry.

BY adding to

Article – Environment

Section 14–113.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1173 – Delegates Gilchrist and Holmes**

AN ACT concerning

#### **Natural Resources – Recreational and Commercial Fisheries – Funding and Use of Funds**

FOR the purpose of requiring that certain appropriations for fishery management purposes be allocated equitably between the recreational and commercial fisheries; clarifying that the Fisheries Research and Development Fund consists in part of funds derived from certain surcharges; requiring the Department of Natural Resources to use money in the Fund in a certain manner; repealing certain annual surcharges for tidal fish license authorizations for oysters and striped bass; requiring the Department in consultation with certain entities to adopt regulations establishing certain annual surcharges on certain license authorizations; requiring the Department to modify certain fishing seasons and close certain fisheries if certain revenue does not meet a certain threshold; excluding certain revenue and costs from the calculation to determine whether a certain threshold has been met; requiring the Department to use funds from surcharges on certain fisheries only for fishery management in the fishery from which the funds were derived; and generally relating to funding for, and the use of funds on behalf of, the recreational and commercial fisheries.

BY adding to

Article – Natural Resources

Section 4–205(m) and 4–701(e)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–209(a), (b), and (c) and 4–701(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)



BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–209(f), (g), and (i) and 4–701(e)(2) and (o)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Natural Resources  
Section 4–701(e)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1174 – Delegate Guzzone**

AN ACT concerning

#### **Unemployment Insurance – Exemption from Covered Employment – Temporary Tax Preparers**

FOR the purpose of providing that work performed by certain tax preparers is not covered for the purposes of unemployment insurance under certain circumstances; providing that certain contributions and benefit charges collected are not subject to refund; providing for the application of this Act; and generally relating to coverage under the unemployment insurance law of work performed by certain tax preparers.

BY adding to  
Article – Labor and Employment  
Section 8–206(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1175 – Howard County Delegation**

AN ACT concerning

#### **Howard County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences Ho. Co. 9–12**

FOR the purpose of authorizing the Howard County Board of Education to waive the requirement that a participating employer reimburse the county for the cost of certain workers’ compensation insurance coverage for students placed in unpaid

work-based learning experiences; and generally relating to the waiver of workers' compensation reimbursement in connection with unpaid work-based learning experiences.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7-114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9-228(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1176 – Delegates Valentino-Smith, Arora, Carr, Cullison, Frush, Holmes, Howard, Hubbard, Ivey, Niemann, B. Robinson, V. Turner, Walker, and Washington**

AN ACT concerning

**Health Care Case Management for At-Risk Juveniles – Work Group**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to convene a Work Group on Health Care Case Management for At-Risk Juveniles in the State; providing for the membership and staffing of the Work Group; providing for the designation of the chair of the Work Group; prohibiting a member of the Work Group from receiving certain compensation; authorizing a member of the Work Group to receive certain reimbursement; providing for the duties of the Work Group; requiring the Secretary to make a certain report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to health care case management for at-risk juveniles.

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1177 – Delegates Haddaway-Riccio, Barkley, Eckardt, Holmes, and Lafferty**

AN ACT concerning

**Ethics – Financial Disclosure by Local Elected Officials**

FOR the purpose of authorizing a county or municipal corporation to limit elected local officials' required disclosures of interests in certain business entities to include only those business entities that do business in the county or municipal corporation; and generally relating to the requirements for financial disclosure by local elected officials.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–607(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–805  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1178 – Delegate Cardin**

AN ACT concerning

#### **Vehicle Laws – Failing to Render Assistance – Assessment of Points**

FOR the purpose of requiring the Motor Vehicle Administration to assess a certain number of points against a person who is convicted of failing to render reasonable assistance after being involved in a vehicle accident that results in death, bodily injury, or damage to an attended vehicle or attended property; making conforming changes; and generally relating to the requirement to render reasonable assistance after being involved in a vehicle accident.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–303(j)(1), 16–402(a), and 16–404.1(c) and (f)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 20–104(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1179 – Delegate DeBoy**

AN ACT concerning

**Vehicle Laws – Fleeing or Eluding Police**

FOR the purpose of making it a felony for a driver of a vehicle to attempt to elude a police officer who gives the driver a visual or audible signal to stop; altering the law to prohibit a driver who had been given a visual or audible signal to stop by a police officer from attempting to elude the police officer in a manner that poses a risk of imminent bodily injury to another person; adding and altering certain defined terms; and generally relating to eluding police officers by drivers of vehicles under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–904  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1180 – Delegates Rudolph and Malone**

AN ACT concerning

**Vehicle Laws – Required Security – Electronic Reporting Requirements**

FOR the purpose of requiring insurers and other providers of required vehicle security to immediately notify the Motor Vehicle Administration electronically of the issuance of certain new insurance policies; requiring insurers and other providers of required vehicle security to notify the Administration electronically within a certain time period of certain changes regarding certain fleet policies of insurance; requiring certain notices regarding the termination or lapse of required security to be made electronically; defining a certain term; and generally relating to vehicle security and the reporting requirements for insurers and other providers of required motor vehicle security.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 17–101, 17–104, and 17–106(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 17–106(a), (c) and (d)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1181 – Charles County Delegation**

AN ACT concerning

#### **Criminal Procedure – Obtaining or Furnishing Alcoholic Beverage for Underage Consumption – Citation**

FOR the purpose of providing that a person who violates certain provisions of law prohibiting the obtaining or furnishing of an alcoholic beverage for underage consumption may be charged by a citation; authorizing a certain police officer to issue a certain citation if there is probable cause to believe that a certain person is committing or has committed a certain violation; specifying the required contents of a certain citation; requiring a certain police officer to forward to the appropriate court a copy of a certain citation; requiring the court to promptly schedule a certain case for trial and summon the defendant to appear; providing that willful failure of the defendant to respond to a certain summons is contempt of court; and generally relating to obtaining or furnishing an alcoholic beverage for underage consumption.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–121  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1182 – Charles County Delegation**

AN ACT concerning

#### **Charles County Sheriff – Collective Bargaining – Binding Arbitration**

FOR the purpose of authorizing a certain collective bargaining agreement in Charles County to contain a grievance procedure providing for binding arbitration of certain grievances; and generally relating to collective bargaining agreements for the Office of the Sheriff in Charles County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(j)  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1183 – Delegates Kramer, Hershey, Kipke, Smigiel, and Wood**

AN ACT concerning

**Vehicle Laws – Motor Vehicle Safety Checkpoints – Prohibition on Targeting Specific Types of Motor Vehicles**

FOR the purpose of prohibiting a police officer at a motor vehicle safety checkpoint from targeting certain types of motor vehicles; providing for the application of this Act; defining a certain term; and generally relating to motor vehicle safety checkpoints.

BY adding to

Article – Transportation

Section 25–114

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1184 – Delegates B. Robinson and Howard**

AN ACT concerning

**Baltimore City – Landlord and Tenant – Stay of Execution of Warrant of Restitution in Extreme Weather**

FOR the purpose of making a certain provision that authorizes an administrative judge to stay the execution of a warrant of restitution of a residential property in the event of extreme weather conditions in a certain district; and generally relating to a stay of execution of a warrant of restitution in extreme weather conditions.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–401(d)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1185 – Delegate Frush**

AN ACT concerning

**Public Service Commission – Solar Water Heating Systems and Billing  
Services – Prince George’s County**

FOR the purpose of requiring a person to be licensed by the Public Service Commission to engage in the business of providing solar water heating services as a solar water heating utility provider in Prince George’s County; establishing certain application and other requirements for becoming a provider; requiring the Commission to determine other requirements under certain circumstances; authorizing a certain provider to request a solar water heating utility biller to provide certain billing services under certain circumstances; requiring a certain biller to provide billing services under certain circumstances; providing that a certain biller is entitled to a certain fee; providing that a certain biller is not responsible for certain losses; requiring a certain biller to apply certain funds in a certain manner; requiring the Commission to adopt certain regulations or issue a certain order; defining certain terms; providing for the application of this Act; and generally relating to billing services for solar water heating systems in Prince George’s County.

BY adding to

Article – Public Utilities

Section 7–801 through 7–806 to be under the new subtitle “Subtitle 8. Solar  
Water Heating Systems – Prince George’s County”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1186 – Delegates Jameson, Hucker, Afzali, Barkley, Barve, Beitzel,  
Carr, Eckardt, Elliott, Feldman, Jacobs, Krebs, Love, McComas,  
Murphy, Myers, Norman, Otto, Serafini, Stein, Stocksdale, and Wood**

AN ACT concerning

**Renewable Energy Portfolio Standard – Renewable Energy  
Credits – Geothermal Heating and Cooling**

FOR the purpose of specifying that energy generated from a geothermal heating and cooling system is eligible for inclusion in meeting the renewable energy portfolio standard; entitling a certain person or entity to receive a renewable energy credit under certain circumstances; specifying the method by which energy generation and consumption shall be measured; requiring geothermal heating and cooling system installation to comply with certain standards; defining a certain term; altering the definition of a certain term; and generally relating to geothermal heating and cooling systems.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–701(c–1) and 7–704(h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1187 – Delegates Jameson, Barkley, Barnes, Barve, Feldman,  
Hershey, Hucker, Kramer, Love, Minnick, Schuh, and Vaughn**

AN ACT concerning

**Renewable Energy Portfolio Standard – Solar Energy and Solar Water  
Heating Systems**

FOR the purpose of altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State’s renewable energy portfolio standard in certain years; authorizing the Public Service Commission, in consultation with the Maryland Energy Administration, to identify an equivalent certification for measurement for energy generated by certain solar water heating systems for certain purposes; authorizing the Commission, in consultation with the Administration, to approve an equivalent certification body to set certain standards; providing for the application of this Act; and generally relating to solar energy.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–703 and 7–704(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1188 – Delegates Ross, Ivey, Summers, Vaughn, and Walker**



AN ACT concerning

**State Department of Education – Lacrosse Opportunities Program**

FOR the purpose of creating the Lacrosse Opportunities Program in the State Department of Education to increase opportunities for minority students to participate in lacrosse in their communities; requiring the State Superintendent of Education to administer the Program; authorizing certain local education agencies to submit an application for a grant under the Program; requiring a grant application to include certain information; requiring the Department, in making grants under the Program, to require certain matching funds from certain sources; limiting the amount of a grant under the Program; requiring the State Superintendent or the State Superintendent's designee to review applications and provide grants to eligible agencies with programs that will increase opportunities for minority students to participate in lacrosse; requiring the Governor to include a certain amount for the Program in each annual budget submission; requiring the State Superintendent to adopt certain regulations; defining certain terms; and generally relating to the Lacrosse Opportunities Program to increase opportunities for minority students to participate in lacrosse in their communities.

BY adding to

Article – Education

Section 2–305

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1189 – Howard County Delegation**

AN ACT concerning

**Howard County – Deputy Sheriffs – Collective Bargaining**

**Ho. Co. 11–12**

FOR the purpose of authorizing the representatives of certain full-time deputy sheriffs in the Office of the Sheriff of Howard County to bargain collectively with the Sheriff on certain issues; authorizing certain deputy sheriffs to take certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization and the Sheriff to follow certain procedures for collective bargaining; providing for a certain method to resolve a dispute if the certified labor organization and the Sheriff are unable to negotiate a certain agreement; establishing that any

additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; establishing a certain method for requesting certain additional funding; requiring a collective bargaining agreement to contain certain matters; providing for certain rights and responsibilities of the Sheriff that are not impaired by the provisions of this Act; establishing that any additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; providing for the construction of this Act; and generally relating to collective bargaining for deputy sheriffs in Howard County.

BY adding to

Article – Courts and Judicial Proceedings  
Section 2–309(o)(5)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1190 – Delegate Murphy**

AN ACT concerning

#### **Charles County – District Court – Court Cost Surcharge**

FOR the purpose of authorizing the County Commissioners of Charles County to adopt an ordinance that requires a certain surcharge to be imposed on all traffic cases and criminal cases in the District Court in Charles County; requiring the District Court in Charles County to add a certain surcharge to court costs imposed by the court if the County Commissioners adopt an ordinance under this Act; requiring surcharges collected under this Act to be remitted to the County Commissioners of Charles County and used for a certain purpose; and generally relating to court costs imposed by the District Court in Charles County.

BY adding to

Article – Courts and Judicial Proceedings  
Section 7–301(g) and 7–302(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 7–302(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1191 – Delegates Niemann, Burns, and Love**

AN ACT concerning

**Commercial Law – Consumer Protection – Credit Counseling and Legal Assistance Fund**

FOR the purpose of establishing the Credit Counseling and Legal Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Division of Consumer Protection in the Office of the Attorney General to administer the Fund; requiring the Division to adopt certain regulations; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the State Court Administrator to collect certain fees and pay the fees into the Fund; providing that investment earnings of the Fund do not accrue to the General Fund; defining a certain term; and generally relating to the Credit Counseling and Legal Assistance Fund.

BY adding to

Article – Commercial Law  
Section 13–207  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 7–202(g) and 7–301(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1192 – Delegates Huckler, Barkley, Barnes, Clippinger, Frush, Glenn, Haynes, Howard, Ivey, K. Kelly, Luedtke, Mizeur, Rosenberg, Ross, Stukes, Summers, Valderrama, Vaughn, Washington, and Zucker**

AN ACT concerning

**Prevailing Wages – Debarment or Suspension Process and Penalty**

FOR the purpose of requiring a contractor or subcontractor to be suspended or debarred if the contractor or subcontractor willfully violates certain requirements concerning prevailing wage rates; specifying the time period of the debarment or suspension; allowing a contractor or subcontractor who unintentionally violates certain requirements concerning prevailing wage rates the opportunity to remedy the violation; authorizing the Attorney General to seek a penalty from certain contractors or subcontractors under certain circumstances; and generally relating to the debarment or suspension process and penalty for a violation of law concerning prevailing wage rates.

BY adding to

Article – State Finance and Procurement  
Section 16–202.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 16–304(a), 16–309, and 17–226  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 17–222 and 17–224  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1193 – Delegates Nathan–Pulliam, Costa, Cullison, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**State Personnel – Traumatic Events – Mental Health Support Services**

FOR the purpose of requiring a certain unit of State government to make available mental health support services to certain individuals affected by a traumatic event that occurs in a facility of the unit and results in the death of an individual; requiring certain mental health support services to be made available to certain employees for a certain purpose and within a certain period of time; defining a certain term; and generally relating to the provision of mental health support services by units of State government.

BY adding to

Article – State Personnel and Pensions

Section 5–401 to be under the new subtitle “Subtitle 4. Mental Health Services for Traumatic Events”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1194 – Delegates Braveboy, Alston, V. Turner, Vaughn, and Wilson**

AN ACT concerning

**Business Occupations – Plumbers and Gas Fitters – Apprentice License  
Renewal**

FOR the purpose of prohibiting the State Board of Plumbing from renewing certain apprentice plumber licenses or apprentice natural gas fitters licenses for more than a certain number of consecutive terms under certain circumstances; and generally relating to the license renewal of apprentice plumbers and apprentice natural gas fitters.

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 12–101(b) and (c) and 12–307(c) and (g)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 12–308(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 12–308.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1195 – Delegate Holmes**

AN ACT concerning

#### **Land Use – Rail Station Overlay Districts**

FOR the purpose of authorizing a local jurisdiction to establish a rail station overlay district adjacent to a railroad station, metro station, or light rail station in the local jurisdiction under certain standards and guidelines; requiring the Department of Planning, in consultation with the Department of Transportation, to establish standards and guidelines under which a local jurisdiction may establish a rail station overlay district in certain areas and a model ordinance for establishing the overlay district; requiring the standards and guidelines to address the size of an overlay district, development in an overlay district, outdoor public areas, less restrictive height and density limits, exemptions from adequate public facilities laws, accessibility for pedestrians and bicyclists, streamlined review, approval, and appeals processes, financing for development projects, the facilitation of access to certain local agencies, and the creation and valuation of development rights; authorizing a local jurisdiction that establishes an overlay district to implement certain revenue generating mechanisms; providing that this Act applies to certain counties; and generally relating to rail station overlay districts.

BY repealing and reenacting, without amendments,

Article – Land Use  
Section 1–401(a)  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Land Use  
Section 1–401(b)  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

BY adding to

Article – Land Use

Section 7–501 to be under the new subtitle “Subtitle 5. Rail Station Overlay Districts”  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(2lr0396) of the Acts of the General Assembly of 2012)

BY adding to  
Article – State Finance and Procurement  
Section 5–312  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1196 – Delegates Ready and Pena–Melnyk**

AN ACT concerning

#### **Participation in Procurement – Conflict of Interest – Exemption**

FOR the purpose of authorizing certain units of State government to solicit certain comments relating to certain specifications for State procurement of health, human, social, or educational services before issuing certain requests for proposals; authorizing a person that submits certain comments relating to a procurement to submit a proposal for the procurement under certain circumstances; and generally relating to conflicts of interest and participation in procurement.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1197 – Delegate Morhaim**

AN ACT concerning

#### **State Finance and Procurement – Special Funds – Diversity**

FOR the purpose of requiring that the investments of certain special funds reflect the diversity of the State; prohibiting certain special funds from receiving fees from the public unless the industry that benefits from the special fund meets certain requirements; requiring the Governor’s Office of Minority Affairs to provide by

regulation a certain determination; requiring the State Treasurer, in consultation with the Governor's Office of Minority Affairs, to provide a certain report by a certain date; defining a certain term; and generally relating to a requirement that certain special funds be administered in a certain manner.

BY adding to

Article – State Finance and Procurement

Section 7–407

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1198 – Delegates Lee, Arora, Barve, Carr, Glenn, Gutierrez, Guzzone, Ivey, Kaiser, Lafferty, Luedtke, McDonough, A. Miller, Minnick, Mitchell, Mizeur, Morhaim, Reznik, B. Robinson, Stukes, and Zucker**

AN ACT concerning

### **Maryland Biotech SBIR and STTR Bridge Program**

FOR the purpose of establishing a Maryland Biotech SBIR and STTR Bridge Program to be administered by the Maryland Technology Development Corporation for certain purposes; authorizing the Program to provide grants to certain eligible biotechnology businesses; stating the purpose of the Program; establishing the Maryland Biotech SBIR and STTR Bridge Fund as a special, nonlapsing fund for certain purposes; providing for the administration, sources, and use of the Fund; requiring a certain audit of the Fund; establishing application procedures for grants under the Program; establishing certain limits on the number of grants awarded; requiring the Corporation to adopt certain regulations; refining certain terms; expressing certain legislative intent related to certain appropriations; and generally relating to the creation of a program to promote biotechnology research in the State.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–401(a) and (c)

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY adding to

Article – Education

Section 21–601 through 21–604 to be under the new subtitle “Subtitle 6. Maryland Biotech SBIR and STTR Bridge Program”

Annotated Code of Maryland



(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(1) and (2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Appropriations.

### **House Bill 1199 – Delegates Carr, Frush, Niemann, and B. Robinson**

AN ACT concerning

#### **Gas Companies – Gas Line Leaks and Repairs**

FOR the purpose of requiring the Public Service Commission to adopt certain regulations to classify certain natural gas leaks and to require certain gas companies to remediate and monitor those leaks in a certain manner; requiring the regulations to establish a certain penalty; prohibiting a gas company from passing a certain penalty to customers; requiring a gas company to respond to a report of certain gas leaks in a certain manner; requiring a gas company to receive and promptly investigate certain reports; providing that a gas company is liable for certain damage under certain circumstances; establishing a rebuttable presumption concerning certain confirmed gas leaks and certain damage; requiring a gas company to report on certain unaccounted for natural gas and prohibiting collection of certain costs; authorizing the Commission to issue certain orders under certain circumstances; providing that penalties under this Act are in addition to certain other provisions; defining certain terms; and generally relating to gas companies and gas leaks.

BY adding to  
Article – Public Utilities

Section 7–801 through 7–807 to be under the new subtitle “Subtitle 8. Natural Gas Leaks”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1200 – Delegates Love, Feldman, Jameson, and W. Miller**

AN ACT concerning

**Commercial Law – Cigarette Sales Below Cost – Wholesale Markup**

FOR the purpose of altering the presumptive cost of doing business used to determine the basic cost of cigarettes to a cigarette wholesaler for purposes of provisions of law governing the sale of cigarettes below cost; authorizing a wholesaler to implement a wholesale markup that is less than a certain amount under certain circumstances; altering a certain definition; making certain stylistic changes; and generally relating to sales of cigarettes below cost.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 11–501(a) and (l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 11–501(e)(1) and (m) and 11–503(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1201 – Delegates Conway, Beidle, Beitzel, Bohanan, Cane, Clagett, Cluster, DeBoy, Eckardt, Haddaway–Ricchio, Hershey, Hogan, Holmes, Jacobs, James, McMillan, Minnick, Norman, O’Donnell, Otto, Rudolph, Vitale, Weir, and Wood**

AN ACT concerning

**Department of Planning – State Development Plan – Use and Conflicts of Law**

FOR the purpose of prohibiting the State Development Plan from being used to create or establish a new cause for State denial of certain projects, permits, or approvals or to deny certain State funding; requiring the Department of

Planning and a certain county or municipal corporation to meet in good faith and seek to resolve a certain conflict under certain circumstances; providing that the comprehensive plan, zoning laws, and local ordinances of a county or municipal corporation shall govern for a certain purpose if a certain conflict is not resolved; and generally relating to restrictions on the use of, and conflicts that may arise regarding, the State Development Plan.

BY adding to

Article – State Finance and Procurement  
Section 5–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1202 – Delegates Ready, Elliott, Hough, Krebs, Niemann,  
Pena–Melnyk, and Stocksdale**

AN ACT concerning

**Public Information Act – Required Denials – Newsletters Sent by Public  
Officials**

FOR the purpose of requiring a custodian of records under the Public Information Act to deny inspection of the part of a public record that includes the electronic mail addresses of individuals who were sent a certain newsletter from a public official; defining a certain term; and generally relating to the inspection of newsletters sent by public officials under the Public Information Act.

BY adding to

Article – State Government  
Section 10–617(n)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

**House Bill 1203 – Delegates Kramer and Valderrama**

AN ACT concerning

**State Procurement – Preference – Local Supplies – Matching Bids**

FOR the purpose of requiring a unit of State government to allow a certain bidder to resubmit the bid to match the lowest bid, under certain circumstances, if the bidder's bid indicates, of all the bids submitted, the use of the highest

percentage of supplies to be purchased or used in the procurement that are local supplies; defining a certain term; and generally relating to preferences for businesses using local supplies in procurement contracts.

BY adding to

Article – State Finance and Procurement  
Section 14–413  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1204 – Delegates Mizeur, Holmes, Bobo, Carr, Frick, Frush, Healey, Hubbard, Hucker, Luedtke, McHale, McIntosh, Morhaim, Niemann, Reznik, B. Robinson, S. Robinson, Stein, F. Turner, and Washington**

AN ACT concerning

**The Marcellus Shale Safe Drilling Study Fee**

FOR the purpose of altering the amount of a certain performance bond; authorizing the Department of the Environment to adopt certain regulations to alter the minimum amount of a certain performance bond; requiring certain owners of a certain gas interest in certain areas of the State to file a certain notice with the Department in accordance with certain requirements; requiring certain owners of a certain gas interest in certain areas of the State to pay to the Department a certain amount of money on or before certain dates under certain circumstances; establishing certain grounds for the denial of a certain permit; requiring the Department to deposit certain funds and penalties in the Oil and Gas Fund; requiring a certain amount of money in the Oil and Gas Fund to be used for a certain study; requiring the Department to make a certain refund under certain circumstances; authorizing the Department to impose a certain administrative penalty under certain circumstances; authorizing the Department to use certain funds for certain purposes; authorizing the Department and the Department of Natural Resources to enter into certain agreements for certain purposes; providing for the application of certain provisions of law; making stylistic changes; defining certain terms; altering certain definitions; and generally relating to gas and oil wells and gas interests.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 14–102, 14–111(a) and (b), 14–116, 14–117, 14–118, 14–122, and 14–123  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment  
Section 14–113.1 and 14–120.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1205 – Delegates Hucker, Barkley, Burns, Carr, Gutierrez, Ivey,  
A. Kelly, Luedtke, Simmons, and Valderrama**

AN ACT concerning

**Procurement – Service Contracts – Delineation of Costs by Categories**

FOR the purpose of requiring the Board of Public Works, in consultation with the Department of General Services, to adopt regulations to require that a bidder or offeror responding to a solicitation for a service contract delineate its costs by certain categories; repealing a certain exception; and generally relating to service contracts.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(t)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 13–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1206 – Delegate Wilson**

AN ACT concerning

**Charles County – Nuisance Actions – Community Associations**

FOR the purpose of making a certain provision of law relating to allowing certain community associations to bring certain actions in the circuit court for abatement of a nuisance applicable in Charles County; altering a certain definition; and generally relating to the right of community associations to seek judicial abatement of nuisances in Charles County.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–124  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1207 – Delegates Pendergrass, Hammen, Carr, K. Kelly, McHale, Pena–Melnyk, and B. Robinson**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Licensure of  
Clinical Professional Art Therapists**

FOR the purpose of altering the membership of the State Board of Professional Counselors and Therapists to include two members who are licensed as clinical professional art therapists; requiring certain individuals to be licensed by the Board as clinical professional art therapists before performing certain work in the State; establishing certain education and experience requirements to qualify for a license to practice clinical professional art therapy; requiring the Board to waive certain requirements under certain circumstances; providing that a license authorizes certain individuals to practice clinical professional art therapy while a license is effective; authorizing the Board to adopt certain regulations allowing certain individuals to practice as licensed graduate professional art therapists under certain supervision; establishing certain requirements to qualify for a license to practice as a licensed graduate professional art therapist; authorizing certain individuals to practice graduate professional art therapy under certain supervision for a certain period of time; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; authorizing the State or the Board to maintain a certain action to enjoin certain unauthorized practice or certain conduct; providing that certain action is in addition to and not instead of certain prosecution; authorizing certain committees or certain associations to be a counselor or therapist rehabilitation committee; providing that a counselor and therapist rehabilitation committee evaluates and provides assistance to certain professional art therapists under certain circumstances; prohibiting certain

individuals from engaging in certain actions or making certain representations in the State or using certain titles unless licensed by the Board; providing for the appointment of certain members of the Board; requiring certain vacancies on the Board to remain unfilled in accordance with provisions of this Act altering the membership of the Board; and generally relating to the establishment of a license for clinical professional art therapy and the State Board of Professional Counselors and Therapists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–101, 17–202, 17–301, 17–308, 17–309, 17–508, 17–509, 17–513,  
17–515, 17–601, and 17–602

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 17–103 and 17–201

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 17–304.1, 17–304.2, and 17–307.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1208 – Delegate Jones**

AN ACT concerning

#### **Baltimore County – Transfers from Noncontributory System to Employees’ Retirement System – Contributions and Interest**

FOR the purpose of requiring that in Baltimore County if an individual transfers from a noncontributory system to the Employees’ Retirement System, on retirement the individual’s retirement allowance must be reduced by the actuarial equivalent of certain accumulated contributions rather than the actuarial equivalent of certain member contributions; requiring interest on the contributions to be determined by a certain board in consultation with a certain actuary rather than using regular interest; providing for the application of this Act; and generally relating to contributions and interest used to determine reductions to a retirement allowance when an individual transfers from a

noncontributory system to the Employees' Retirement System in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 37–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1209 – Delegates Hucker, Cullison, and Frick**

AN ACT concerning

**Procurement – Preferences – Businesses Located in the State**

FOR the purpose of requiring a unit of State government to allow a resident bidder or resident offeror to resubmit the bid or offer, under certain circumstances, to match the lowest bid or offer; defining certain terms; and generally relating to preferences for businesses located in the State.

BY adding to  
Article – State Finance and Procurement  
Section 14–401.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1210 – Delegates Rosenberg and Hucker**

AN ACT concerning

**Public School Teachers and Administrators – Appeals and Layoffs – Rights and Limitations**

FOR the purpose of limiting the review by the State Board of Education of the decision of a county board to suspend or dismiss certain public school teachers and administrators to a review on the record; requiring public school employers to negotiate teacher layoff policies as part of collective bargaining; requiring the use of performance evaluations in policies relating to layoffs of public school teachers; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the rights and limitations of rights of certain public school teachers and administrators regarding appeals and layoffs.



BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–202(a), 6–203(e), and 6–408(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–203(a), (c), (d), and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–408(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 324 and 325 of the Acts of the General Assembly of  
2011)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1211 – Delegates Huckler, Barkley, Barnes, Frush, Glenn, Haynes,  
Howard, Ivey, K. Kelly, Luedtke, Mizeur, Rosenberg, Ross, Stukes,  
Summers, Valderrama, Vaughn, Washington, and Zucker**

AN ACT concerning

**Procurement – Prevailing Wage Rate – Penalties for Violations**

FOR the purpose of altering the amount of a certain penalty owed to a public body by a contractor and the amount of the compensation owed to certain employees by a contractor or subcontractor that violates the prevailing wage rate; and generally relating to penalties for violating the prevailing wage rate.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–222  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1212 – Delegates Mizeur, Anderson, Luedtke, B. Robinson, and  
Washington**

AN ACT concerning

**Building Better Schools Through Innovation Act**

FOR the purpose of establishing a nonprofit partnership as an alternative financing arrangement for certain public school construction projects; authorizing a county board of education to enter into a contract with a certain nonprofit entity or entities for certain school construction projects under certain circumstances; authorizing a county board to receive certain funding for school construction as a block grant; providing for the uses of a certain block grant; requiring that a county board be in receipt of a certain letter of determination from the Internal Revenue Service prior to entering into a certain contract with a certain nonprofit entity or entities; and generally relating to public school construction.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–126  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1213 – Delegates McComas, Impallaria, James, McDonough, Norman, Stifler, and Szeliga**

AN ACT concerning

**Harford County Board of Education – Student Member – Voting Rights**

FOR the purpose of providing that the student member of the Harford County Board of Education has certain rights and privileges; prohibiting the student member from voting on or participating in certain matters; making certain clarifying changes; altering a certain definition; and generally relating to the Harford County Board of Education and student member voting rights.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–6A–01 and 3–6A–02  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes**

AN ACT concerning

**Education – Public High Schools – Maximum Student Enrollment Policy**

FOR the purpose of requiring each county board of education on or before a certain date to establish a policy on maximum student enrollment at each public high school within the county board's jurisdiction; requiring each county board to consider certain items and solicit certain input in establishing the policy; requiring each county board, in consultation with its county governing body, on or before a certain date, to develop and determine the cost of a plan to implement the established policy; requiring each county board on or before a certain date to submit the policy and the implementation plan to certain entities; and generally relating to a maximum student enrollment policy in public high schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–109  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1215 – Delegates Boteler, Cluster, George, Glass, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Walker, and Weir**

**EMERGENCY BILL**

AN ACT concerning

**Primary and Secondary Education – Online Courses – Acceptance of Courses Approved by Other States**

FOR the purpose of authorizing the State Department of Education or a county board of education to procure online courses and services that have been approved by a state that the Department has determined has certain curriculum content standards; making this Act an emergency measure; and generally relating to acceptance of online courses approved by other states and the State Department of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1216 – Delegate Walker**

AN ACT concerning

**Partnership for Student Education and Community Investment Tax Credit**

FOR the purpose of allowing a credit against the State income tax for contributions made to certain student assistance organizations; requiring the Department of Business and Economic Development to administer the tax credit; requiring an entity to submit an application to be a student assistance organization by a certain date each year; requiring a student assistance organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to a student assistance organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; establishing the Partnership for Student Education and Community Investment Tax Credit Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill and providing the appropriation may not exceed a certain amount; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund under certain circumstances; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for contributions made to certain student assistance organizations.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–205(a) and 10–306(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–205(k), 10–306(g), and 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1217 – Delegates Ivey and Rosenberg**

AN ACT concerning

**Public Charter Schools – Chartering Authorities, Application Requirements,  
and Funding**

FOR the purpose of expanding the purpose of the Maryland Public Charter School Program; expanding the definition of a public charter school; authorizing the State Board of Education to be a primary chartering authority for the granting of a charter to a public charter school applicant; requiring a county board of education or the State Board to take certain actions when reviewing, evaluating, and making a decision on a charter school application; authorizing an initial charter to be granted for a certain time period under certain circumstances; requiring a legally binding performance contract that includes certain items to be executed between a county board or the State Board and a public charter school within a certain time period; exempting a public charter school from certain State education statutes; requiring the State Board and each county board to establish certain offices; authorizing public charter school employees to establish an independent bargaining unit and to develop a collective bargaining agreement; requiring each county board to disburse a certain amount of funds to each public charter school on or before a certain date; requiring transportation funds to be included in the funding provided from each county board; authorizing the State Department of Education to retain a certain amount of funds allotted to certain public charter schools; requiring a county board to offer a certain option to a public charter school when school property is no longer needed by the county board; and generally relating to chartering authorities, application requirements, and funding for public charter schools.

BY repealing and reenacting, with amendments,

Article – Education

Section 9–101, 9–102, 9–103, 9–104, and 9–106 through 9–111

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 9–102.1, 9–105, and 9–112

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 9–104.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1218 – Delegate Ivey**

AN ACT concerning

**Public Charter Schools – Chartering Authorities, Application Requirements, Employees, and Facility Funding**

FOR the purpose of authorizing the State Board of Education to be a primary chartering authority for the granting of a charter to a public charter school applicant; providing for the public charter schools granted a charter by the State Board to be independent from the local school system, county, or municipality in which the school is located but to be considered as the local school system for certain purposes; requiring an application to the State Board to establish a public charter school to include certain information; establishing an appeal process when the State Board denies an application to establish a public charter school; authorizing the State Board to issue and renew a charter for a certain period of time under certain circumstances; authorizing employees of a public charter school granted a charter by the State Board to elect to be members of the Teachers' Pension System and to choose to participate in the State Employee and Retiree Health and Welfare Benefits Program or to choose to form a separate health insurance collaborative; authorizing employees of a public charter school granted a charter by the State Board to organize as public employees as an independent bargaining unit and to develop a collective bargaining agreement; authorizing employees of certain public charter schools to choose to continue membership in the Teachers' Pension System or to terminate their membership; authorizing employees of certain public charter schools to continue to participate in the State Employee and Retiree Health and Welfare Benefits Program or to choose to form a separate health insurance collaborative; authorizing the State Department of Education to retain a certain amount of funds allotted for certain public charter schools; requiring certain public charter schools to receive an annual per pupil facilities allotment and prohibiting certain public charter schools from receiving an entire facilities allotment; requiring each county board to compile a list of school sites or buildings that may no longer be needed for school purposes; establishing the Public Charter School Facility Revolving Loan Fund; requiring the Governor to provide a certain amount of money in the State budget for the Fund; specifying the purpose of the Fund; authorizing certain applicants to obtain loans from the Fund; requiring the State Board to administer the Fund and to consider certain factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report certain information to county boards of education each fiscal year; establishing certain requirements for loan repayment; making a certain county governing body or county board of education liable for loan repayment under certain circumstances; requiring the State Board to adopt certain regulations; and generally relating to chartering authorities, application requirements, employees, and facility funding for public charter schools.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 9–101, 9–102, 9–102.1, 9–105 through 9–107, 9–110, and 9–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 9–103, 9–104, 9–108, 9–109, and 9–111  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 9–103.1 and 9–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–507(a), (b), and (e) and 23–206  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 23–206.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir**

EMERGENCY BILL

AN ACT concerning

**Primary and Secondary Education – Online Courses – Local Approval and Reporting Requirements**

FOR the purpose of authorizing a county board of education to procure certain online courses and services that the county board has approved as being high quality and in alignment with certain State standards; requiring a certain county board that has approved an online course to submit a certain report to the State

Department of Education; making stylistic changes; making this Act an emergency measure; and generally relating to the approval of and the reporting requirements for online courses by county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1220 – Delegate Haynes**

AN ACT concerning

**Secondary Education – Electronic Reader Pilot Program in Baltimore City**

FOR the purpose of establishing the Electronic Reader Pilot Program to be implemented in middle and high schools in Baltimore City; requiring the Chief Executive Officer of the Baltimore City Board of School Commissioners to award a grant to the Board for implementation of the Pilot Program; providing for the purpose of the Pilot Program; requiring the Chief Executive Officer and a certain organization to develop a plan to implement the Pilot Program; requiring the plan to meet certain requirements; providing for the funding of the Pilot Program; requiring the Baltimore City Board of School Commissioners to submit a certain report on or before a certain date and including certain information; defining certain terms; and generally relating to the Electronic Reader Pilot Program in Baltimore City.

BY adding to  
Article – Education  
Section 7–10B–01 through 7–10B–08 to be under the new subtitle “Subtitle 10B.  
Electronic Reader Pilot Program in Baltimore City”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1221 – Delegates Hixson, Arora, Branch, Feldman, Howard, Huckler, Kaiser, Luedtke, A. Miller, Ross, Stukes, Summers, F. Turner, and Walker**

AN ACT concerning

**Graduate Level Education – Exemption from Paying Nonresident Tuition –  
Members of the United States Armed Forces**



FOR the purpose of exempting certain individuals who attend certain institutions of higher education for graduate level education from paying certain tuition rates under certain circumstances; renumbering certain provisions of law; and generally relating to exempting members of the United States armed forces from paying nonresident tuition for graduate level education.

BY renumbering

Article – Education

Section 15–106.4(d)

to be Section 15–106.4(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.4(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 15–106.4(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1222 – Delegates Boteler, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, and Weir**

EMERGENCY BILL

AN ACT concerning

**State Board of Education – Online Courses – Approval Processing Fees**

FOR the purpose of authorizing the State Board of Education to set reasonable fees for the costs incurred by the State Department of Education for processing approvals for online courses and services; making this Act an emergency measure; and generally relating to online course approval processing fees and the State Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–1002

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1223 – Delegate Guzzone**

AN ACT concerning

#### **Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration**

FOR the purpose of requiring certain institutions of postsecondary education that enroll certain students in certain online distance education programs to register with the Maryland Higher Education Commission before commencing or continuing to operate, do business, or function in the State within a certain period of time; prohibiting certain institutions from commencing or continuing to operate, doing business, or functioning in the State; requiring the Commission to give certain institutions certain notice under certain circumstances; authorizing certain institutions to request a certain hearing under certain circumstances; providing certain institutions a certain right to judicial review; providing for a certain exception from the requirement for registration; requiring certain institutions to be accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; requiring the Commission to establish certain refund policies and procedures; requiring the payment of certain fees to be used for certain purposes; requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; authorizing the Commission to require certain institutions to furnish certain bonds or other financial guarantees under certain circumstances; authorizing the Commission to create a certain guaranty fund; providing for the use of a certain fund; authorizing certain students to make certain claims against a certain fund under certain circumstances; requiring certain institutions to pay a certain fee into a certain fund subject to certain exceptions; prohibiting the Commission from issuing a certain registration and requiring the Commission to revoke a certain registration under certain circumstances; authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; prohibiting certain institutions from enrolling certain students under certain circumstances; authorizing certain students to complete certain online distance education programs under certain circumstances; providing that certain persons are guilty of a misdemeanor and subject to certain fines and imprisonment for a certain period of time under certain circumstances; requiring certain institutions to submit certain data to the Maryland

Longitudinal Data System; defining certain terms; and generally relating to institutions of postsecondary education that offer fully online distance education programs in the State.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–202, 11–203, 11–204, and 24–707  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 11–202.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1224 – Delegates Kramer, Arora, Barkley, Carr, Cullison, Dumais, Hucker, A. Kelly, Reznik, B. Robinson, Simmons, Stein, and Valderrama**

AN ACT concerning

**Public Health Nuisance – Tobacco Smoke in Multidwelling Units –  
Abatement and Enforcement Authority**

FOR the purpose of amending the definition of “nuisance” to include tobacco smoke that drifts from certain units into other residential units in a multidwelling property over a certain period of time as it relates to authorizing certain entities or individuals to bring certain actions in a circuit court for relief from the nuisance; prohibiting a certain community association from bringing a certain action under certain circumstances; requiring certain notices to the local health officer and to certain tenants and property owners before a certain nuisance abatement action may be brought; providing for certain remedies; providing that the court shall determine the conditions for which a community association is required to file a bond under certain circumstances; providing for the construction of this Act; providing for the application of this Act; defining a certain term; and generally relating to the abatement and enforcement authority of the public health nuisance of tobacco smoke in multidwelling units.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–301 and 20–305  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 20–307.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1225 – Delegates Rosenberg and Luedtke**

AN ACT concerning

**Education – Guidelines for Using State Produce in Schools – Required**

FOR the purpose of requiring the State Department of Education to establish guidelines requiring each county board of education to make certain efforts to procure produce served in public schools from farms or community gardens located within the State, to serve the produce in a certain manner, and to submit a certain annual report to the Department; and generally relating to the use in public schools of produce grown in the State.

BY adding to

Article – Education  
Section 7–7A–01 to be under the new subtitle “Subtitle 7A. State Produce in Schools Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1226 – Delegate Bohanan**

AN ACT concerning

**Higher Education – Academic Program Action – Repeal of Application Fees**

FOR the purpose of repealing the authority of the Maryland Higher Education Commission to impose certain application fees; and generally relating to application fees for approval of academic program actions taken by certain institutions of higher education.

BY repealing and reenacting, without amendments,

Article – Education  
Section 11–105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 11–105(o)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1227 – Delegates Busch, Kaiser, Branch, Conway, Cullison, Gilchrist, Haddaway–Ricchio, Kach, Luedtke, McComas, McHale, Mitchell, O’Donnell, Olszewski, Reznik, S. Robinson, Rudolph, Stukes, Waldstreicher, and Zucker**

AN ACT concerning

**Education – Core Content Areas – Accountability Program**

FOR the purpose of requiring the State Board of Education and the State Superintendent of Schools to assist each county board of education to establish certain goals and objectives that conform with certain objectives for subject areas that include science and social studies; requiring each public school to survey current student achievement in science and social studies; requiring the State Board and the State Superintendent to design and implement certain assessment programs in certain subjects and requiring the social studies assessment program to provide certain information; requiring certain grade band assessments and end-of-course assessments to be implemented and administered annually at certain levels by a certain school year; requiring county boards of education to include certain information in the boards’ comprehensive master plans and updates to the plans; defining a certain term; requiring the State Department of Education to develop and implement a certain State specific assessment by a certain school year if a certain determination is made regarding a certain middle school grade band assessment; and generally relating to an education accountability program for certain core content areas.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–401(a) and (b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–401(c) and 7–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1228 – Delegate Bohanan**

AN ACT concerning

**Regional Higher Education Centers – Funding Formula**

FOR the purpose of requiring operating funds for regional higher education centers, including regional higher education centers administered by the University System of Maryland, to be calculated and allocated using a certain funding formula by a certain fiscal year; requiring the Maryland Higher Education Commission to certify to the Governor the amount of funding due to each regional higher education center under the funding formula and requiring the Governor to include that amount in the annual budget submission by a certain fiscal year; clarifying that certain operating funds for certain regional higher education centers that are included in the University System of Maryland Office as a separate line item may not exceed the amount of funding calculated using a certain funding formula; clarifying that a regional higher education center must obtain certain approval before the center can operate in the State; requiring the Commission to adopt certain regulations to implement a certain funding formula; requiring the Commission to study and make recommendations regarding the inclusion of outcome or performance measures in a certain funding formula and requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining certain terms; and generally relating to a funding formula for regional higher education centers.

BY repealing and reenacting, with amendments,

Article – Education

Section 10–203(d) and 11–105(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 11–105(b)(7) and (8)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1229 – Delegate Szeliga**

AN ACT concerning

**State Government – Notaries Public – Revisions**

FOR the purpose of prohibiting an individual, under certain circumstances, from being appointed as a notary public; requiring an out-of-state notary, under certain circumstances, to surrender the notary's commission to the Secretary of State; authorizing a certain notary to apply for appointment as a State resident notary; requiring, under certain circumstances, that a certain notary be appointed and commissioned as a State resident notary; prohibiting a certain individual from being appointed and commissioned by reciprocity as a State resident notary; establishing requirements that a State resident appointed as a notary public must meet; establishing requirements that an out-of-state individual appointed as a notary public must meet; requiring a certain application to be accompanied by a copy of the applicant's green card; prohibiting a certain notary from being required to pay certain fees; providing that an out-of-state notary may exercise certain functions only in the course of the notary's employment; and generally relating to notaries public in the State.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101, 18–102, 18–103, and 18–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1230 – Delegate Frank**

AN ACT concerning

#### **Maryland Transit Administration – Farebox Recovery Rate Increase**

FOR the purpose of altering certain requirements for the percentage of operating costs for certain public transit services that must be recovered by the Maryland Transit Administration from certain revenues; and generally relating to certain requirements for recovery of certain operating costs of certain public transit services from certain revenues.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–208(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1231 – Delegates Hershey, Afzali, Bates, Cluster, Eckardt, Elliott, Haddaway–Riccio, Hogan, Hough, Jacobs, Kipke, Krebs, McComas, McDermott, W. Miller, Otto, Ready, Schulz, Stocksdale, and Szeliga**

AN ACT concerning

**Maryland Transit Administration – Farebox Recovery Rate Increase**

FOR the purpose of altering certain requirements for the percentage of operating costs for certain public transit services that must be recovered by the Maryland Transit Administration from certain revenues; and generally relating to certain requirements for recovery of certain operating costs of certain public transit services from certain revenues.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–208(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1232 – Delegates Fisher, Bates, Boteler, Dwyer, Frank, Glass, Hough, Krebs, McComas, McConkey, McDermott, McMillan, Myers, Norman, Otto, Serafini, Stocksdale, and Szeliga**

AN ACT concerning

**Maryland Transportation Authority – Privatization of the Intercounty Connector and the I-95 Express Toll Lanes**

FOR the purpose of requiring the Maryland Transportation Authority, in consultation with the Secretary of Transportation, to initiate the process to issue a request for proposals on or before a certain date to privatize the Intercounty Connector (ICC/MD 200) and the I-95 Express Toll Lanes north of Baltimore City; providing that the request for proposals be issued in accordance with certain procurement requirements; and generally relating to a request for proposals to privatize the ICC and the I-95 Express Toll Lanes.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–321(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 4–321(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Ways and Means.

**House Bill 1233 – Delegates Fisher, Bates, Boteler, Dwyer, Eckardt, Elliott, Frank, Glass, Haddaway–Riccio, Hershey, Hough, Jacobs, Krebs, McComas, McConkey, McMillan, Myers, Norman, Otto, Schulz, Serafini, Smigiel, and Szeliga**

AN ACT concerning

**State Highway Administration – Privatization of Rest Areas and Welcome Centers on State Highways**

FOR the purpose of requiring the State Highway Administration to initiate the process to issue a request for proposals on or before a certain date to privatize the operation and maintenance of rest areas and welcome centers within State highway rights-of-way; providing that the request for proposals be issued in accordance with certain procurement requirements; requiring that certain money paid to the State be credited to the Transportation Trust Fund; and generally relating to a request for proposals to privatize rest areas and welcome centers within State highway rights-of-way.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 8–204(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 8–204(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1234 – Delegate Serafini**

AN ACT concerning

**Regulations Affecting Small Businesses – Extensions for Compliance**

FOR the purpose of authorizing the Department of Business and Economic Development, under certain circumstances, to grant an extension to certain small businesses for compliance with regulations adopted by Executive Branch agencies; requiring a small business, in order to be granted an extension, to prepare a certain economic impact analysis and a certain plan for compliance

with the regulations; requiring the small business to submit certain documents to the Department; requiring the Department to coordinate with the appropriate Executive Branch agency to make a certain determination; requiring the Department to take certain actions based on a certain determination; requiring the Department to provide certain notice to the small business; authorizing a small business to comply with regulations in accordance with a certain plan under certain circumstances; requiring the Department to publish certain information in the Maryland Register; requiring the Department to maintain a certain database; requiring a small business to comply with certain regulations during a certain period of time; defining a certain term; and generally relating to regulations affecting small businesses.

BY adding to

Article – Economic Development  
Section 5–108  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1235 – Delegates Zucker, Clagett, DeBoy, Bohanan, and Guzzone**

AN ACT concerning

**Public Safety – Emergency Number System – Next Generation 9–1–1**

FOR the purpose of altering the responsibilities of the Emergency Number Systems Board to include establishing planning guidelines for next generation 9–1–1 system plans and deployment of next generation 9–1–1 service; authorizing the Board to limit a request for reimbursement to counties for the cost of enhancing a 9–1–1 system; defining a certain term; and generally relating to emergency number systems and next generation 9–1–1.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 1–301 and 1–306  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1236 – Delegates Lee, Arora, Barve, Carr, Conaway, Cullison, Gutierrez, Healey, Ivey, Jameson, Kaiser, A. Kelly, Luedtke, A. Miller, Mizeur, B. Robinson, S. Robinson, and Valderrama**

AN ACT concerning

**State Government – Demographic Data Collection – Asian Americans and Pacific Islanders**

FOR the purpose of requiring State units that collect certain demographic data to use separate collection categories for certain categories of Asian Americans and Pacific Islanders; requiring the Department of Labor, Licensing, and Regulation, the Governor's Office of Community Initiatives, and the Commission on Civil Rights to use additional certain separate collection categories; requiring the Department, the Governor's Office, and the Commission to update the collection categories used within a certain time period after a certain census is released to the public; requiring a State unit to include certain demographic data in certain reports issued on or after a certain date; requiring a State unit to make certain data available to the public and to post certain data on the State unit's Web site beginning on a certain date and yearly thereafter; specifying that certain data made available to the public may not include any personal identifying information; defining a certain term; and generally relating to demographic data collection by units of State government.

BY adding to

Article – State Government

Section 8–505

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1237 – Delegate Morhaim**

AN ACT concerning

**Maryland Energy Administration – Study on the Use of Solar Panels on School Buildings**

FOR the purpose of requiring the Maryland Energy Administration to establish a workgroup to study the feasibility of creating a program to use county and State school buildings for the collection of solar energy; authorizing the Administration to include certain persons in the workgroup in its discretion; requiring the workgroup to consider certain cost savings, examine certain laws that would need to be amended to facilitate a program and to streamline procedures under a program, consider the desirability of establishing a certain pilot program, and make certain surveys to determine certain levels of interest in participating in a program; requiring the workgroup to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to a study on the use of solar panels on school buildings.

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1238 – Delegate Dumais**

AN ACT concerning

**Maryland Legal Services Corporation Fund – Net Interest Earnings**

FOR the purpose of including the Maryland Legal Services Corporation Fund in the list of funds whose net interest earnings do not accrue to the General Fund of the State; specifying that certain charges may not be made against the Fund under certain circumstances; and generally relating to net interest earnings of the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 11–402  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1239 – Delegate Alston**

AN ACT concerning

**Family Law – Straw Ballot – Definition of Marriage**

FOR the purpose of requiring that one question with three options be placed on the ballot at the general election in November 2012 to determine the sense of the voters in the State on the legal definition of marriage and providing three options relating to which marriages should be valid in the State; providing for the carrying out of the straw ballot; providing that the vote on the question is advisory only; and generally relating to the holding of a straw ballot at the general election in November 2012.

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

**House Bill 1240 – Delegate Mizeur**

AN ACT concerning

**School Infrastructure Local Option Act**

FOR the purpose of authorizing the governing body of a county to impose, by law or ordinance, a tax on retail sales; exempting from the county sales tax retail sales that are exempt from the State sales and use tax; limiting the rate of the tax; imposing certain collection and administrative requirements on vendors who make sales subject to the tax; authorizing certain vendors to deduct a certain percentage of the gross tax collected for the cost of collection and remittance of the tax; authorizing the governing body of a county to provide, by law or ordinance, for the imposition of interest and penalties for failure to pay the tax as required and to provide for the collection of unpaid tax, interest, or penalties; requiring that the net proceeds of the tax revenue be used only for certain purposes; requiring the local governing body of a county to consult with the Comptroller on certain policies and procedures under certain circumstances; providing for the local governing body to reimburse the Comptroller for certain expenditures under certain circumstances; providing that before a certain law or ordinance takes effect it must first be submitted to a referendum of the qualified voters of a county for approval at the next following general election; defining certain terms; providing for the application of this Act; and generally related to authorizing a local option tax on retail sales for certain purposes.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–610  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 11–102(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1241 – Delegates Rosenberg, Huckler, Ivey, Kaiser, Luedtke, Myers, Ross, and Walker**

AN ACT concerning

**Education – Preschool for All – Establishment**

FOR the purpose of establishing certain funding for prekindergarten students by altering a certain definition to include prekindergarten students in the number of students enrolled; altering a certain funding calculation to phase in a reduction of certain funding; altering a certain definition to make certain children eligible for prekindergarten; requiring certain prekindergarten programs to be established by a certain school year; authorizing county boards to use qualified vendors to provide prekindergarten programs; requiring the State Department of Education to establish provider rates for qualified vendors; requiring the Department to provide a certain list to each local school system; requiring the Department to evaluate qualified vendors using certain criteria at least every 3 years; authorizing the Department to evaluate qualified vendors more frequently and to revoke certification under certain circumstances; requiring the Department to adopt certain regulations; requiring the Department to develop a certain media campaign; authorizing the Department to adopt regulations; naming the Preschool for All program; requiring each prekindergarten program under the jurisdiction of a county board to be open during a certain number of hours over a certain number of months for certain students; defining certain terms; authorizing certain funds to be used to provide funding for certain purposes; establishing a certain funding calculation for a certain year; providing for the application of this Act; and generally relating to education funding and access for prekindergarten.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(a)(1) and (5), 5–207(a)(1), and 7–103(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(6), 5–207(a)(4), 7–101.1, and 7–103(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1242 – Delegates Lee, Arora, Carr, DeBoy, Frush, Healey, Howard, Kach, Kipke, McComas, McDonough, A. Miller, Pendergrass, B. Robinson, and Stocksdales**

AN ACT concerning

### **Identity Fraud Crimes – Restitution**

FOR the purpose of expanding the circumstances under which a court is authorized to enter a judgment of restitution that orders a defendant or child respondent to make restitution in situations in which the victim suffered certain losses or

incurred certain expenses as a direct result of identity fraud; establishing that circumstances eligible for restitution include alteration of a victim's consumer report or the imposition of financial damage or loss on an identity fraud victim; authorizing a court to accept a certain affidavit as evidence of financial damage or loss that is eligible for restitution; expanding the circumstances under which certain State's Attorneys are required to help certain victims prepare a certain request for restitution and to advise certain victims regarding collection of restitution; establishing that if certain victims suffer identity fraud, certain State's Attorneys are required to consult with the Office of the Attorney General under certain circumstances for certain advice and assistance; authorizing the Office of the Attorney General to provide to identity fraud victims certain information and assistance on recovery from financial damage or loss and how to make a restitution claim; requiring that certain assistance to identity fraud victims include establishing a certain monetary value for financial damage or loss; requiring the Office of the Attorney General to develop a certain affidavit form for victims of identity fraud; authorizing the Office of the Attorney General to adopt regulations; making conforming changes; defining certain terms; and generally relating to restitution.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–1201(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–601, 11–603, 11–614, and 11–615  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–614.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1243 – Charles County Delegation**

AN ACT concerning

**Courts and Judicial Proceedings – District Court Jurisdiction – Homeowners Associations**

FOR the purpose of granting the District Court exclusive original civil jurisdiction in a proceeding to enforce a provision of the recorded covenants and restrictions, declaration, or bylaws of a homeowners association; and generally relating to the jurisdiction of the District Court.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(17) and (18)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 4–401(19)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1244 – Delegates Glass, Boteler, and McDonough**

AN ACT concerning

**Maryland Aviation Administration – Airport Security and Passenger Screening – Private Contractor**

FOR the purpose of requiring the Maryland Aviation Administration, with the approval of the State Secretary of Transportation and subject to the direction of the Maryland Aviation Commission, consistent with certain provisions of law regarding procurement, to contract, lease, or otherwise grant a person the exclusive privilege of operating, as agent of the State, security and passenger screening services at airports and airport facilities owned or controlled by the State; providing that a contract, lease, or other arrangement made under this Act may be for any term not exceeding a certain period and for the consideration that the Administration determines; and generally relating to airport security and passenger screening.

BY adding to  
Article – Transportation  
Section 5–409.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)



Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1245 – Delegates Glass, Boteler, and Stocksdale**

AN ACT concerning

**Maryland Aviation Administration – Airport Security – Training – Luggage Search**

FOR the purpose of requiring the Maryland Aviation Administration to require that a person serving as a transportation security officer, passenger screener, or luggage screener at an airport in the State be certified by the Secretary of State Police as having received certain training in the proper protocol for searching passengers and luggage in a constitutional manner; requiring the Administration to require that a passenger's luggage may be searched only by a person having a certain certification and in the presence of the passenger; and generally relating to airport security.

BY adding to

Article – Transportation

Section 5–408(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1246 – Delegates Mitchell, Clippinger, Conaway, Glenn, Hammen, Harrison, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, and Tarrant**

AN ACT concerning

**Baltimore City Public School Construction Authority**

FOR the purpose of establishing the Baltimore City Public School Construction Authority; providing for the purpose, duties, membership, appointment, terms, and compensation of the Authority; authorizing the Authority to hold title to certain property purchased or financed through a certain block grant; authorizing the Authority to acquire land, school sites, and buildings and to improve and transfer buildings; authorizing the Authority to use alternative financing methods and issue bonds to finance public school construction projects; establishing the rights and duties associated with the bonding authority of the Authority; requiring the State to provide a certain block grant each year to Baltimore City for certain public school construction projects and requiring the Authority to administer and manage the block grant; providing for the initial amount, the source of funding, and an annual increase in the amount

of a certain annual block grant for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners and the Authority to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; defining certain terms; providing that certain authority granted under this Act is not in derogation of certain other existing authority; submitting this Act to a referendum of the qualified voters of Baltimore City; and generally relating to the Baltimore City Public School Construction Authority.

BY repealing and reenacting, with amendments,

Article – Education

Section 4–114, 4–115(a), (b), and (c)(1), 4–126, 4–301, 4–306.1, 4–306.2, 4–306.3, 4–306.4, 4–306.5, 4–306.6, and 5–301(d) through (j)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 4–306.1 and 5–301(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–301(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1247 – Delegates Washington, Arora, Bobo, Carr, Cullison, Dumais, Feldman, Frush, Gaines, Gutierrez, Healey, Hubbard, Hucker, Ivey, A. Kelly, Lafferty, Lee, Luedtke, A. Miller, Mizeur, Murphy, Nathan–Pulliam, Niemann, Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Ross, Stukes, Summers, V. Turner, and Zucker**

AN ACT concerning

### **Community Cleanup and Greening Act of 2012**

FOR the purpose of requiring a store to charge and collect a certain fee for each disposable carryout bag the store provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; prohibiting a store from advertising or stating certain information under certain circumstances; requiring a store to include certain information on certain

receipts; providing that the sales and use tax does not apply to a certain amount of money retained by a store under certain circumstances; requiring the operator of a store to remit a certain amount of money to the Comptroller; requiring the Comptroller to retain a certain amount of money for a certain purpose; requiring the Comptroller to distribute certain amounts of money to the Department of Labor, Licensing, and Regulation, the Chesapeake Bay Trust, and certain counties under certain circumstances; requiring the Chesapeake Bay Trust and certain counties to report certain information to the Comptroller on an annual basis and in a certain manner; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; altering the list of allowable grants that may be made by the Chesapeake Bay Trust; requiring the Comptroller to distribute a certain amount of money to the Department of Human Resources on or before a certain date for a certain purpose; requiring the Department of Human Resources to conduct a certain public outreach campaign in accordance with certain requirements; providing for the application of certain provisions of this Act; providing for a delayed effective date; defining certain terms; and generally relating to carryout bags, community greening efforts, and the restoration of the watersheds of the State, including the Chesapeake and Atlantic Coastal Bays.

BY adding to

Article – Business Regulation

Section 19–103

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1–704

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

**House Bill 1248 – Delegates Ross, Beidle, Bohanan, James, Luedtke, Rudolph, and Valentino-Smith**

AN ACT concerning

**Income Tax Credit – Security Clearance Expenses**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax for certain costs incurred to obtain federal security clearances; requiring the Department of Business and Economic Development to provide an application process for the credit at least a certain number of

times each fiscal year; providing for the total amount of credit certificates that may be issued during a certain application period; providing for the distribution of credit certificates; providing for the carryforward of the credit; providing that the total amount of credits that may be claimed may not exceed the amount of certificates issued to the individual or corporation; requiring the Department to notify the Comptroller of the maximum amount of each credit certificate; requiring the Comptroller to transfer the amount stated in the credit certificate from a certain Reserve Fund to the General Fund; establishing the Security Clearance Income Tax Credit Reserve Fund as a special, nonlapsing fund; requiring the Secretary of Business and Economic Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor to make certain appropriations in certain fiscal years; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date each year; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain costs incurred to obtain federal security clearances.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–204(a) and 10–305(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–204(j) and 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–305(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1249 – Delegates Hucker, Arora, Mitchell, Ross, and Stukes**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**General Assembly – Members – Age of Eligibility for Service**

FOR the purpose of amending the Maryland Constitution to alter the age at which a person may serve as a Senator or a Delegate in the General Assembly; making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 9

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1250 – Delegates Hershey, Boteler, Cluster, Eckardt, Haddaway–Riccio, Jacobs, McComas, McDermott, Afzali, Elliott, Frank, Glass, Kach, Kipke, Krebs, W. Miller, Norman, Ready, Schulz, Serafini, Stocksdale, and Szeliga**

AN ACT concerning

**Transportation – Transit Authorities – Red Line and Purple Line**

FOR the purpose of establishing the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate the Red Line and the Purple Line light rail transit lines; providing for the members, appointments, terms, chairs, and staff of the Authorities; prohibiting the Department of Transportation from exercising jurisdiction or authority over the Red Line and the Purple Line light rail transit lines; authorizing the Authorities to take certain actions in the performance of their duties; authorizing the Authorities to tax to the same extent as the State within certain districts for the purpose of financing the Red Line and the Purple Line transit facilities and transit service; authorizing the Authorities to provide for the collection of any tax and to grant exemptions from any tax; authorizing the Authorities to issue revenue bonds payable from certain fees, fares, and taxes for the purpose of financing transit facilities; providing that bonds issued by the Authorities do not constitute a debt or pledge of the full faith and credit of certain entities; providing that bonds issued by the Authorities do not obligate certain entities to impose any tax; requiring the Authorities to determine certain matters concerning bonds they issue; providing for the issuance and execution of the bonds; authorizing the Authorities to issue bonds to refinance the cost of transit facilities; authorizing the Authorities to issue revenue refunding bonds for certain purposes; authorizing the Authorities to issue interim certificates or temporary bonds; authorizing the Authorities to issue bond anticipation notes; authorizing revenue bonds issued by the Authorities to be secured by certain trust agreements; requiring certain fees, fares, and taxes designated by the Authorities as security for bonds to be adjusted in a certain manner; requiring

that certain revenues of the Authorities shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the Authorities to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the Authorities are securities in which certain persons may invest and that may be deposited with certain persons; exempting revenue bonds issued by the Authorities from taxation; defining certain terms; and generally relating to the creation of the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate certain transit lines.

BY adding to

Article – Transportation

Section 9–101 through 9–413 to be under the new title “Title 9. Regional Transit Authorities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1251 – Delegates Hershey, Boteler, Cluster, Haddaway–Riccio, McComas, McDermott, Afzali, Aumann, Eckardt, Elliott, Frank, Jacobs, Kipke, W. Miller, Otto, Ready, Schulz, and Stocksdales**

AN ACT concerning

**Transportation – Chesapeake Bay Bridge Authority**

FOR the purpose of establishing the Chesapeake Bay Bridge Authority to finance, construct, operate, and maintain the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and the parallel Chesapeake Bay Bridge; providing for the members, appointment, terms, chair, and staff of the Authority; prohibiting the Maryland Department of Transportation from exercising jurisdiction or authority over the Chesapeake Bay Bridge; authorizing the Authority to take certain actions in the performance of its duties; authorizing the Authority to issue revenue bonds payable from certain fees and tolls for the purpose of financing a certain transportation facility project; providing that bonds issued by the Authority do not constitute a debt or pledge of the full faith and credit of the State or a political subdivision of the State; providing that bonds issued by the Authority do not obligate the State or a political subdivision of the State to impose any tax; requiring the Authority to determine certain matters concerning bonds it issues; providing for the issuance and execution of the bonds; authorizing the Authority to issue bonds to refinance the cost of a certain transportation facility project; authorizing the Authority to issue revenue refunding bonds for certain purposes; authorizing the Authority to issue interim certificates or temporary bonds; authorizing the Authority to issue bond anticipation notes; authorizing revenue bonds issued by the Authority to be secured by certain trust agreements; requiring certain fees and tolls designated

by the Authority as security for bonds to be adjusted in a certain manner; providing that certain revenues of the Authority shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the Authority to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the Authority are securities in which certain persons may invest and which may be deposited with certain persons; exempting revenue bonds issued by the Authority from taxation; defining certain terms; and generally relating to the creation of the Chesapeake Bay Bridge Authority to finance, construct, operate, and maintain certain transportation facilities projects.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–101(h)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 4.5–101 through 4.5–412 to be under the new title “Title 4.5.  
Chesapeake Bay Bridge Authority”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1252 – Delegates Hucker, Cullison, and Ross**

AN ACT concerning

**Education – Dyslexia Testing and Services for Dyslexic Students – Pilot Program**

FOR the purpose of requiring the State Department of Education to establish a pilot program for dyslexia and related disorder testing; requiring the Department to recommend appropriate testing methods and appropriate services to a student identified as having dyslexia or a related disorder; authorizing a county board to participate in the program in accordance with certain requirements; subject to a certain limitation, requiring county boards to test students for dyslexia or related disorders under certain circumstances; requiring a county board to provide a certain student with certain remedial education; requiring the Department to submit a certain report by a certain date to the General Assembly; defining certain terms; and generally relating to testing for dyslexia and providing services to dyslexic students.

BY adding to  
Article – Education

Section 7–434  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1253 – Delegate Malone**

AN ACT concerning

**Exposure to Organophosphate Pesticide – Time Limits for Bringing Civil Actions**

FOR the purpose of altering certain time limits for bringing certain civil actions concerning exposure of a person to an organophosphate pesticide; providing for the application of this Act; making clarifying and stylistic changes; and generally relating to certain time limits for bringing certain civil actions concerning exposure of a person to an organophosphate pesticide.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–904(g) and 5–113(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–113.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough, Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and F. Turner**

AN ACT concerning

**Small Business Development Center Network Fund – Minimum Appropriation**

FOR the purpose of increasing the minimum General Fund appropriation to the Small Business Development Center Network Fund that the Governor is required to include in the annual budget bill beginning in a certain fiscal year; and generally relating to the Small Business Development Center Network Fund.



BY repealing and reenacting, with amendments,  
Article – Education  
Section 13–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1255 – Delegates McComas, Afzali, Bates, Cluster, Eckardt, Frank,  
George, Howard, McDermott, and Stocksdale**

AN ACT concerning

**Maryland Homeowners Association Act – Bylaws Filed in Land Records**

FOR the purpose of defining a certain term to require the bylaws of a homeowners association to be recorded among the land records of the county in which the development is located; repealing the requirement that the bylaws of a homeowners association be deposited into a certain depository; requiring a homeowners association that exists on or before a certain date to record the bylaws of the homeowners association on or before a certain date; making conforming changes; and generally relating to recording homeowners association bylaws.

BY renumbering  
Article – Real Property  
Section 11B–101(b) through (n), respectively  
to be Section 11B–101(c) through (o), respectively  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 11B–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11B–105(b)(6), 11B–106(b)(5), and 11B–107(b)(3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11B–107(a)(3) and 11B–112(c)(1)  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1256 – Delegates Rosenberg, Dumais, and Kaiser**

AN ACT concerning

**Child Sexual Abuse Reporting – Training of School Employees**

FOR the purpose of requiring the State Board of Education to develop a certain model program by a certain date for training professional school employees on the prevention, identification, and reporting of child sexual abuse; requiring that the model program include certain information; authorizing the model program to include a certain sexual abuse prevention curriculum; requiring certain county boards of education and certain nonpublic schools to develop a certain mandatory training program for all professional school employees by a certain date; requiring certain county boards of education and certain nonpublic schools to provide opportunities to participate in certain training to certain individuals; requiring certain county boards of education and certain nonpublic schools to make available certain information on the warning signs of sexual abuse and certain counseling and resources for certain students in the school handbook and on the school's Web site; defining certain terms; and generally relating to training professional school employees on the prevention, identification, and reporting of child sexual abuse.

BY adding to

Article – Education

Section 7–434

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–704

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Ways and Means.

**House Bill 1257 – Delegates Kramer, Arora, Barkley, Bates, Bobo, Carr, Clagett, Conway, Cullison, DeBoy, Dumais, Frick, Frush, Glass, Howard, Hucker, A. Kelly, K. Kelly, McDonough, Morhaim, Reznik, B. Robinson, S. Robinson, Rudolph, Simmons, Stein, Summers, Valderrama, and Waldstreicher**

AN ACT concerning

**Fiduciary Institutions – Protection of Elder Adults from Financial Abuse –  
Reporting Requirements**

FOR the purpose of requiring certain fiduciary institutions to report suspected financial abuse of an elder adult under certain circumstances; requiring the report to be made to certain individuals and entities, at certain times, and by certain means; providing that a fiduciary institution is not required to investigate certain allegations by an elder adult or make an abuse report if the same matter already has been reported; providing that an abuse report is confidential and that the information contained in the report may be disclosed only under certain circumstances; providing that certain provisions of this Act may not be construed to allow the disclosure of certain reports or records or prohibit the disclosure of certain reports or records under certain circumstances; providing that certain provisions of this Act do not prohibit or limit the disclosure of certain financial records; requiring a fiduciary institution to establish and implement a certain training program for employees; prohibiting a fiduciary institution or an officer, employee, agent, or director of a fiduciary institution from declining to provide certain information in connection with an investigation of suspected financial abuse; establishing certain civil penalties for violations of certain provisions of this Act; providing that the penalties may be recovered only in a certain civil action brought against a fiduciary institution and shall be paid by the fiduciary institution; defining certain terms; altering a certain definition; making certain stylistic and conforming changes; and generally relating to fiduciary institutions and requirements for reporting suspected financial abuse of elder adults.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 1–101(a) and (g) and 1–301(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 1–305 and 1–306  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1258 – Delegates Gutierrez, Bobo, Carr, Cullison, Feldman, Frush,  
Howard, Hucker, A. Kelly, and B. Robinson**

AN ACT concerning

**Maryland State Bank Task Force**

FOR the purpose of establishing the Maryland State Bank Task Force to review and evaluate the creation of a Maryland State Bank; providing for the membership and staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring a final report on or before a certain date; providing for the termination of this Act; and generally relating to the creation of the Maryland State Bank Task Force.

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1259 – Delegates Hershey, Afzali, Aumann, Bates, Cluster, Eckardt, Elliott, Fisher, Frank, Haddaway–Ricchio, Hogan, Hough, Jacobs, Kach, Kipke, Krebs, McDermott, W. Miller, O'Donnell, Otto, Ready, Schulz, Stocksdales, and Szeliga**

AN ACT concerning

**Maryland Transportation Authority – Audit Statements Available Online**

FOR the purpose of requiring the Maryland Transportation Authority to make audit statements publicly available on its Internet site, including audit statements relating to each transportation facilities project throughout the entire existence of each transportation facilities project; defining a certain term; and generally relating to making audit statements of the Maryland Transportation Authority available online.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–101(a), (b), and (h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 4–211  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 1260 – Delegate Frush**

AN ACT concerning

**Clean Energy Loan Programs**

FOR the purpose of altering the requirements of a certain Clean Energy Loan Program adopted by a political subdivision under certain circumstances; requiring a certain energy audit that is required to be performed before a political subdivision approves a certain loan to identify certain cost-effective energy efficiency projects and renewable energy projects that would generate a certain projected yearly energy cost savings; prohibiting the total amount of a certain loan from exceeding a certain percentage of the assessed value of certain property; requiring that a certain surcharge under local Clean Energy Loan Programs be limited to a certain amount; authorizing the principal of a certain loan to include the cost of a certain energy audit; requiring that the terms of a certain loan include a requirement that the loan be repaid over a certain period; prohibiting a certain loan from being made unless certain conditions are met; requiring a certain political subdivision to send certain notice by first-class certified mail to certain secured parties under certain circumstances; authorizing a certain secured party to collect and hold in escrow certain payments due on a certain loan in a certain manner; providing that a certain surcharge constitutes a lien on certain property; providing that a certain lien has a certain priority; providing that a certain lien is effective against a certain person; providing that a certain lien is not effective against any third party unless a certain notice of the lien is recorded and indexed in a certain manner; requiring the notice of a certain lien to contain certain information; requiring a certain clerk of a certain court to take certain action on the presentation of a release of a certain lien; limiting the liability of a certain loan assessment in certain property foreclosures; prohibiting the outstanding balance of a certain loan from being accelerated or made due in full; authorizing a certain political subdivision to offer the opportunity to participate in a certain Program to certain financial institutions; authorizing a certain political subdivision to refer certain applicants to other sources of funds, cooperate with other public and private sources of funds, and contract with a certain organization to implement, administer, or fund a certain Program; requiring a certain Program to comply with certain laws and include certain disclosures and training to certain persons under certain circumstances; requiring the Maryland Energy Administration to adopt certain regulations; requiring the Maryland Clean Energy Center to report yearly to the Governor and the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to local Clean Energy Loan Programs.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9-1502  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1261 – Baltimore City Delegation and Delegates Branch,  
Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks,  
B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement  
Administration – Transfer of Employees**

FOR the purpose of requiring that, if the Office of the Attorney General hires certain employees of the Office of the State’s Attorney for Baltimore City who were providing certain services for the Child Support Enforcement Administration during a certain period, the employees shall be placed in certain positions in the State Personnel Management System and receive certain employment rights, service credit for certain purposes, certain annual or sick leave, and certain rights as a member of the Employees’ Pension System of the State of Maryland and for determining eligibility for certain other benefits; providing certain exceptions for certain employees who retire or do not transfer service credit from the Employees’ Retirement System of the City of Baltimore; requiring Baltimore City, under certain circumstances, to make certain payments to certain employees and to transfer certain pension contributions in a certain manner; declaring certain findings and the intent of the General Assembly; and generally relating to the transfer of certain employees from the Office of the State’s Attorney for Baltimore City to the Office of the Attorney General.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 10–115(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1262 – Delegates Hucker, S. Robinson, and Weir**

AN ACT concerning

**Environment – Asbestos Worker Protection**

FOR the purpose of adding to the General Assembly’s findings related to protecting the safety of asbestos removers; requiring the Department of the Environment to verify certain information before accrediting an individual to engage in an asbestos occupation; authorizing the Department to include the costs of examination administration in setting certain fees; increasing the maximum penalty that may be imposed for certain violations; establishing a minimum penalty under a certain circumstance; requiring certain penalties and fines to be paid into the Asbestos Worker Protection Fund and providing for the uses of

the Fund; establishing the Fund as a special, nonlapsing fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering the definition of a certain term; defining a certain term; and generally relating to asbestos worker protection.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 6–401(a) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–402, 6–417, and 6–422  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 6–425 to be under the new part “Part V. Asbestos Worker Protection Fund”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1263 – Delegates Kramer, Arora, Carr, DeBoy, Dumais, Frick, Howard, McDonough, B. Robinson, Simmons, and Valderrama**

AN ACT concerning

**Senior Call–Check Service Program – Establishment**

FOR the purpose of establishing the Senior Call–Check Service Program; specifying that a subscriber who meets certain requirements is eligible for the Program; requiring the Public Service Commission to establish and maintain the Program; limiting the Program to certain telephone companies; specifying a sequence of telephone calls necessary to satisfy Program requirements;

authorizing local law enforcement to perform certain acts in connection with the Program; requiring certain telephone companies to provide a certain service to certain subscribers free of charge; authorizing certain telephone companies to coordinate with certain entities that provide a certain service; authorizing the Commission to adjust a certain rate; immunizing certain Program participants from certain liability; requiring the Commission to consult with certain departments in adopting regulations to implement the Program; authorizing the Commission to limit subscriber eligibility based on income; defining certain terms; and generally relating to telephone service and the Senior Call-Check Service Program.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 8-201(a)(1) and (2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 8-207  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1264 – Howard County Delegation (By Request)**

AN ACT concerning

**Howard County – Massage Establishment, Pawnbroker or Secondhand  
Dealer Establishment, and Taxicab Licenses – Criminal History Records  
Checks  
Ho. Co. 8-12**

FOR the purpose of authorizing the Howard County Department of Inspections, Licenses and Permits to request from the Criminal Justice Information System Central Repository a State and national criminal history records check for an applicant for a massage establishment license, pawnbroker or secondhand dealer establishment license, taxicab license, or renewal of a massage establishment license, pawnbroker or secondhand dealer establishment license, or taxicab license; requiring that the department submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the applicant and the department the applicant's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be disseminated, and may be used only for certain purposes; authorizing a subject



of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; authorizing the governing body of Howard County to adopt guidelines to carry out this Act; defining certain terms; and generally relating to criminal history records checks in Howard County.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–233  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 10–233.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judiciary.

## INTRODUCTION OF JOINT RESOLUTIONS

**House Joint Resolution 10 – Delegates Lee, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, Glenn, Gutierrez, Harrison, Healey, Howard, Ivey, Jones, A. Kelly, Love, McComas, McDonough, A. Miller, Nathan–Pulliam, Pena–Melnyk, B. Robinson, Stukes, Tarrant, V. Turner, Valderrama, and Washington**

A House Joint Resolution concerning

### **National Harriet Tubman Day**

FOR the purpose of requesting that the President of the United States declare a certain day as National Harriet Tubman Day.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 11 – Delegates Lee, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Howard, Ivey, Jones, A. Kelly, Love, Luedtke, McComas, A. Miller, Nathan–Pulliam,**

**Pena–Melnyk, B. Robinson, Stukes, Tarrant, V. Turner, Valderrama,  
and Washington**

A House Joint Resolution concerning

**Gift of a Statue of Harriet Tubman to the United States Government**

FOR the purpose of requesting that the Governor authorize the gift of a statue of Harriet Tubman to the United States government; requesting the Governor to request the United States Congress to place the statue in a certain building; requesting the Governor to establish the Harriet Tubman Statue Commission that, under the supervision and direction of the State Treasurer, would raise certain funds and be composed of certain members; and generally relating to the gift of a statue of Harriet Tubman to the United States government.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 12 – Delegates McDermott and Smigiel**

A House Joint Resolution concerning

**Abridgement of Federal and State Constitutional Protections in the 2012  
National Defense Authorization Act**

FOR the purpose of condemning certain provisions of the National Defense Authorization Act for Fiscal Year 2012 that threaten United States citizens with unlawful detention without trial in violation of the citizens' right to the guarantees of habeas corpus and due process and urging the United States Congress to reconsider and repeal certain provisions of the National Defense Authorization Act for Fiscal Year 2012.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 13 – Delegates Donoghue, Bromwell, Cane, Conway,  
Cullison, Hubbard, Kach, Morhaim, Nathan–Pulliam, Oaks, Reznik, and  
Tarrant**

A House Joint Resolution concerning

**Health – Prostate Cancer Screening**

FOR the purpose of requesting the Congress of the United States to seek the withdrawal of the United States Preventive Services Task Force draft recommendations against prostate-specific-antigen screening for prostate cancer for men in all age groups.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 14 – Delegates Gutierrez, Braveboy, Hucker, Lee, Pena–Melnyk, and Simmons**

A House Joint Resolution concerning

**Legislative Districting Plan of 2012**

FOR the purpose of establishing a plan for legislative districts pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 47 – Senator Madaleno**

## EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009 to extend the deadline for the Board of Directors of CHI Centers, Inc. to present evidence that a matching fund will be provided for a certain grant; requiring that the Board of Public Works expend or encumber the proceeds of the loans by June 1, 2014; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009.

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA00(OO)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AI)

Read the first time and referred to the Committee on Appropriations.

**Senate Bill 51 – Senator Ferguson**

## EMERGENCY BILL

AN ACT concerning

**Baltimore City – Board of Liquor License Commissioners – Transfer of License**

FOR the purpose of altering a prohibition against the Board of Liquor License Commissioners for Baltimore City issuing an alcoholic beverages license or transferring a license into certain locations in Baltimore City by authorizing the Board to allow the transfer of a certain license into a certain development in a certain location in accordance with a certain local ordinance; making this Act an emergency measure; and generally relating to the issuance of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–204.1(f)  
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 66 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Class C–3 Club License**

FOR the purpose of removing the requirement in Harford County for a country club to maintain a certain number of tennis courts to be eligible for a Class C–3 club alcoholic beverages license; and generally relating to eligibility for a Class C–3 club alcoholic beverages license in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(n)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 67 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants**

FOR the purpose of altering the residency requirement for applicants for alcoholic beverages licenses in Harford County; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–101(a)(2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 103 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Hours for Sale**

FOR the purpose of altering the hours for sale on a certain day for holders of a certain alcoholic beverages license in Dorchester County; and generally relating to the hours for sale for alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(b)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 104 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands**

FOR the purpose of requiring Sailwinds Park, Inc. to distribute wristbands to certain individuals at certain events; prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands at certain events; and generally relating to prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a) and (k)(1) and (2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 105 – Senator Colburn**

## EMERGENCY BILL

AN ACT concerning

**Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Caroline County and Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 106 – Senator Colburn**

AN ACT concerning

**Talbot County – Alcoholic Beverages Violations – Issuance of Citations**

FOR the purpose of authorizing certain alcoholic beverages inspectors in Talbot County to issue citations for certain alcoholic beverages violations; and generally relating to the issuance of citations for alcoholic beverages violations by alcoholic beverages inspectors in Talbot County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–119  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse**

AN ACT concerning

**Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements**

FOR the purpose of excluding from the assessments imposed by the Workers' Compensation Commission and payable to the Subsequent Injury Fund and the

Uninsured Employers' Fund the amount of certain medical benefits under a certain settlement agreement under certain circumstances; and generally relating to settlement agreements and assessments payable to the Subsequent Injury Fund and the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–806 and 9–1007  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **Senate Bill 187 – Chair, Finance Committee**

AN ACT concerning

#### **State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Commission of Real Estate Appraisers and Home Inspectors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission; requiring that an evaluation of the Commission be performed on or before a certain date; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; repealing a requirement for the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; renaming the Commission; making conforming changes; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 16–101(g) to be under the amended title “Title 16. Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”;  
16–201 and 16–217(c)(2) to be under the amended subtitle “Subtitle 2. State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; and 16–801 and 16–802  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 2–106.7(a) and (b)(1), 2–106.8(a), and 2–108(a)(25)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)



BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(59)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Chapter 470 of the Acts of the General Assembly of 2001  
Section 3

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 326 – Senator DeGrange**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Anne Arundel County –  
Benson–Hammond House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to alter the requirement that the Board of Directors of the Anne Arundel County Historical Society, Inc. provide a certain matching fund; requiring the Board of Public Works to expend or encumber a certain grant by a certain date; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,  
Chapter 445 of the Acts of the General Assembly of 2005, as amended by  
Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(K)

Read the first time and referred to the Committee on Appropriations.

**LETTERS OF REASSIGNMENT**

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV  
From: Michael E. Busch, Speaker  
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 473	W&M

Read and ordered journalized.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 69)

### **ADJOURNMENT**

At 11:34 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 13, 2012.