# Journal *of* Proceedings

# of the

# House of Delegates

# of

# Maryland

## 2019 Regular Session

## Volume III

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**Annapolis, Maryland**
**Wednesday, March 6, 2019**
**10:00 A.M. Session**

The House met at 10:16 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Brooke E. Lierman of Baltimore City.

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 279)

EXCUSED:
Del. Smith – illness

The Journal of March 5, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 21

**Senate Bill 285 – Senators Kagan, Augustine, Benson, Carter, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hester, Kelley, King, Kramer, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, West, Young, and Zucker**

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – Prohibition**

FOR the purpose of establishing that this Act does not affect the authority of a county, municipality, or other local government to enact standards that are at least as stringent as the standards established in this Act; prohibiting a person from selling in the State a certain expanded polystyrene food service product on or after a certain date; prohibiting a certain food service business or certain school from selling or providing food in a certain expanded polystyrene food service product on or after a certain date; providing that certain provisions of this Act do not prohibit a person from storing a food service product for later distribution outside the State; requiring the Department of the Environment to conduct a certain public education and outreach campaign in a certain manner; authorizing the Department to provide a certain waiver to a certain food service business or certain school under certain circumstances; requiring a ~~county health department~~ unit of county government to

enforce certain provisions of this Act; authorizing a ~~county health department~~ unit of county government to impose a certain penalty for certain violations; prohibiting the imposition of a certain penalty unless certain conditions are met; requiring a ~~county health department~~ unit of county government to notify the Department of certain violations; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to expanded polystyrene food service products.

BY adding to
Article – Environment
Section 9–2201 through 9–2207 to be under the new subtitle "Subtitle 22. Expanded Polystyrene"
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

## ECONOMIC MATTERS COMMITTEE REPORT NO. 6

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1052 – Delegate Miller (By Request – Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public Health)**

AN ACT concerning

**Alcohol, Tobacco, and Motor Fuel Commission**

**HB1052/853591/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1052
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 5, and 30, in each instance, strike the first comma and substitute "and"; in lines 2, 3, and 5, in each instance, strike ", and Motor Fuel"; in lines 9, 10, and 11, in each instance, strike the first comma and substitute "or"; and in the same lines, in each instance, strike ", or motor fuel".

On page 2, in line 1, strike ", and motor fuel"; in line 4, after "government;" insert "authorizing the disclosure of tax information to the Commission;"; in lines 7, 26, and 31,

in each instance, strike the first comma and substitute "and"; in the same lines, in each instance, strike ", and Motor Fuel".

On page 3, strike beginning with "9–301" in line 8 down through "9–337" in line 9 and substitute "13–203(c)".

AMENDMENT NO. 2

On page 5, in line 4, strike the first comma and substitute "**AND**"; and in the same line, strike "**, AND MOTOR FUEL**".

On page 9, in line 20, strike the first comma and substitute "**AND**"; and in lines 20 and 21, strike "**, AND MOTOR FUEL**".

On page 10, in line 1, strike the first comma and substitute "**AND**"; and in the same line, strike "**, AND MOTOR FUEL**".

On page 20 in line 18, on page 33 in line 31, and on page 45 in line 8, in each instance, strike the first comma and substitute "**AND**"; and in the same lines, in each instance, strike "**, AND MOTOR FUEL**".

On page 62, in line 11, after "the" insert "Alcohol and Tobacco"; in lines 20 and 29, in each instance, strike the first comma and substitute "and"; and in the same lines, in each instance, strike ", and Motor Fuel".

On page 63, in lines 5, 27, 29, and 40, in each instance, strike the first comma and substitute "and"; in lines 5 and 29, in each instance, strike ", and Motor Fuel"; in lines 27 and 28, strike ", and Motor Fuel"; and in line 40, strike the second comma.

On page 64, in line 1, strike "and Motor Fuel"; in line 12, strike the first comma and substitute "and"; and in the same line, strike ", and Motor Fuel".

AMENDMENT NO. 3

On page 10, in lines 9 and 11, in each instance, strike "**A REPRESENTATIVE OF THE**" and substitute "**KNOWLEDGEABLE AND EXPERIENCED IN**"; in lines 10 and 12, in each instance, strike "**COMMUNITY**" and substitute "**MATTERS**"; and in line 13, strike "**A REPRESENTATIVE OF**" and substitute "**KNOWLEDGEABLE AND EXPERIENCED IN**".

On page 11, in line 27, strike the first comma and substitute "**OR**".

On pages 11 and 12, strike beginning with the first comma in line 28 on page 11 down through "**ARTICLE**" in line 1 on page 12.

On page 12, in lines 4, 9, and 15, in each instance, strike the first comma and substitute "**OR**"; in lines 4 and 5, strike "**, OR MOTOR FUEL**"; strike beginning with the first comma in line 10 down through "**ARTICLE**" in line 11; and in line 15, strike "**, OR MOTOR FUEL**".

On page 13, in line 18, strike "**AND**"; and after line 20, insert:

"**(V) COMPARABLE TOPICS RELATING TO SMOKING, VAPING, TOBACCO, OTHER TOBACCO PRODUCTS, AND ELECTRONIC NICOTINE DELIVERY SYSTEMS; AND**".

On page 14, in line 1, strike the first comma and substitute "**OR**"; and in the same line, strike "**, OR MOTOR FUEL**".

On page 15, in lines 25 and 26, in each instance, strike the first comma and substitute "**OR**"; and in the same lines, in each instance, strike "**, OR MOTOR FUEL**".

On page 16, in line 1, after the semicolon insert "**AND**"; and strike beginning with the semicolon in line 3 down through "**ARTICLE**" in line 4.

On pages 51 through 62, strike in their entirety the lines beginning with line 14 on page 51 through line 10 on page 62 and substitute:

"13–203.

(c) Tax information may be disclosed to:

(1) an employee or officer of the State who, by reason of that employment or office, has the right to the tax information;

(2) another tax collector;

(3) the Maryland Tax Court;

(4) a legal representative of the State, to review the tax information about a taxpayer:

(i) who applies for review under this title;

(ii) who appeals from a determination under this title; or

(iii) against whom an action to recover tax or a penalty is pending or will be initiated under this title;

(5) any license issuing authority of the State required by State law to verify through the Comptroller that an applicant has paid all undisputed taxes and unemployment insurance contributions payable to the Comptroller or the Secretary of Labor, Licensing, and Regulation or that the applicant has provided for payment in a manner satisfactory to the unit responsible for collection;

(6) a local official as defined in § 13–925 of this title to the extent necessary to administer Subtitle 9, Part V of this title;

(7) a federal official as defined in § 13–930 of this title to the extent necessary to administer Subtitle 9, Part VI of this title;

(8) the Maryland Department of Health in accordance with the federal Children's Health Insurance Program Reauthorization Act of 2009; **[**and**]**

(9) the State Board of Individual Tax Preparers**; AND**

**(10) THE ALCOHOL AND TOBACCO COMMISSION**.".

On page 63, in lines 3 and 7, in each instance, strike the first comma and substitute "and"; and in the same lines, in each instance, strike ", and motor fuel".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4

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

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Government – Consumer Price Index – Revised Statutory References**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 112 – The President**

AN ACT concerning

**Mandated Reports and Statutory Commissions, Councils, and Committees – Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 579 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Curative Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 580 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 10

**House Bill 399 – Delegates Pendergrass, Acevero, Anderson, Atterbeary, B. Barnes, Bartlett, Barve, Boyce, Bromwell, Cardin, Carr, Charkoudian, Crutchfield, Cullison, Dumais, Ebersole, Feldmark, Fennell, Fraser–Hidalgo, Gilchrist, Hettleman, Hill, Holmes, Kaiser, Kelly, Kittleman, Korman, Lafferty, Lehman, R. Lewis, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnyk, Proctor, Qi, Reznik, Rosenberg, Shetty, Solomon, Stein, Stewart, Terrasa, C. Watson, Wilkins, and K. Young**

AN ACT concerning

**End–of–Life Option Act**
**(Richard E. Israel and Roger "Pip" Moyer Act)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 8

**House Bill 105 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Transportation Authority Facilities – Video Tolls – Collection**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

**HB0105/893724/2**
BY: Delegate Carr

AMENDMENTS TO HOUSE BILL 105
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "circumstances;" insert "providing for the termination of this Act;"; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 1, in line 14, strike "the Laws of Maryland read as follows:" and substitute "unless, with the approval of the Secretary of Transportation, a unit of the State government assigns the claim to the Central Collection Unit in the Department of Budget and Management, the Central Collection Unit is not responsible for and may not collect any money that is owed for unpaid video tolls and associated civil penalties under § 21–1414 of the Transportation Article under a delinquent account associated with a person residing outside the State.".

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 9 on page 3, inclusive.

On page 3, in line 11, after the period insert "It shall remain effective for a period of 7 months and, at the end of December 31, 2019, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 9

**House Bill 190 – Delegate Lafferty**

AN ACT concerning

**Environment – Failing On–Site Sewage Disposal System – Definition**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 11

**House Bill 703 – Delegates Lafferty, Fraser–Hidalgo, Holmes, Love, Stewart, and Wells**

AN ACT concerning

**Environmental Violations – Reporting Requirements**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2020

(See Exhibit L of Appendix II)

Read and Referred to the Committee on Appropriations.

## INTRODUCTION OF BILLS

Delegate Ivey moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 124 Negative – 15 (See Roll Call No. 280)

In compliance with the rules, the Bill was introduced.

**House Bill 1424 – Delegates Ivey, Acevero, D. Barnes, Charles, J. Lewis, Mosby, Sydnor, R. Watson, and Wilson**

EMERGENCY BILL

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission Transparency Act of 2019**

FOR the purpose of requiring the Natalie M. LaPrade Medical Cannabis Commission to publish on its website at least a certain number of days before soliciting certain applications a certain description of the process used by the Commission to approve or deny an application for a medical cannabis grower, dispensary, or processor license; requiring that a certain description include certain information; requiring the Commission to submit a certain report to the General Assembly on a certain date each time information is published under certain provisions of this Act; requiring the Commission to publish and report certain information within a certain period of time under certain circumstances; making this Act an emergency measure; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission.

BY adding to
Article – Health – General
Section 13–3305.4
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

## INTRODUCTION OF BILLS

Delegate McIntosh moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 281)

In compliance with the rules, the Bill was introduced.

**House Bill 1425 – Chair, Appropriations Committee (By Request – Departmental – Stadium Authority)**

AN ACT concerning

**Maryland Stadium Authority – Development of Supplemental Facilities to Benefit Camden Yards**

FOR the purpose of authorizing the Maryland Stadium Authority to prepare certain studies that relate to the development of certain supplemental facilities within Baltimore City to benefit the sports facilities at Camden Yards; authorizing the Authority to

undertake certain activities that relate to the studies, solely or in cooperation with certain other entities, and using certain money; authorizing the Authority, subject to the approval of the Board of Public Works and review by the Legislative Policy Committee, to develop certain supplemental facilities and supplemental facility sites to directly or indirectly benefit the sports facilities at Camden Yards and specifying certain powers included in the authorization; authorizing the Authority to acquire certain property or a certain interest in property in a certain manner and subject to annual appropriations and certain provisions of law; requiring the Authority to notify the governing body of Baltimore City of the Authority's intent to acquire certain property and to provide a certain comment period; establishing that certain contracts require the prior approval of the Board of Public Works; authorizing the Authority to issue certain bonds to finance site acquisition for and construction of any portion of a certain supplemental facility, subject to certain limitations; requiring the Authority to provide a certain financing plan to certain committees of the General Assembly at least a certain amount of time before seeking approval of the Board of Public Works for a certain bond issue or other borrowing; specifying that a certain bond issued to finance a supplemental facility is a limited obligation of the Authority payable solely from certain pledged money and is not a debt, liability, moral obligation, or pledge of the faith and credit or the taxing power of the State, the Authority, or any other governmental unit; establishing the Supplemental Facilities Fund as a continuing, nonlapsing fund; specifying the purpose and contents of the Fund; specifying the purpose for which the Fund may be used; exempting the Fund from a certain provision of law requiring interest earnings on State money in special funds to accrue to the General Fund of the State; limiting the amount of debt that may be issued by the Authority to finance certain supplemental facilities; including nontax supported debt in a certain debt limit; defining certain terms; and generally relating to the Maryland Stadium Authority and the development of supplemental facilities to benefit Camden Yards.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–601(a), (b), (d), (m), (n), and (ee) and 10–628(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Economic Development
Section 10–601(ff), (gg), and (hh), 10–622.1 through 10–622.5, and 10–657.1
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–601(ff), 10–620(e), and 10–628(c)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)112. and 113.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)114.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

Delegate McIntosh moved to suspend the rules to allow **House Bill 1425** to be referred to the committee of jurisdiction.

The motion was adopted by a roll call vote as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 282)

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

## LATE INTRODUCTION BOND INITIATIVES

Delegate McIntosh moved the Bond Initiative be introduced.

The Speaker put the question: Shall the Bond Initiative be introduced?

The roll call vote resulted as follows:

Affirmative – 140 Negative – 0 (See Roll Call No.283)

In compliance with the rules, the Bond Initiative was introduced.

### Introductory House Bond Initiatives No. 34

### March 6, 2019

| | | | |
|---|---|---|---|
| 1. | Del. McIntosh<br>Del. Anderson<br>Del. Boyce | Harford Road Senior Center | APP |

The preceding bond initiative was read and referred to the Committee on Appropriations.

## QUORUM CALL

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

(See Roll Call No. 284)

## ADJOURNMENT

At 10:50 A.M. on motion of Delegate Dumais the House adjourned until 10:00 A.M. on Thursday, March 7, 2019.

**Annapolis, Maryland**
**Thursday, March 7, 2019**
**10:00 A.M. Session**

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnyk of Prince George's and Anne Arundel Counties.

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 287)

EXCUSED:
Del. Smith – illness

The Journal of March 6, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 22

**Senate Bill 73 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Insurance – Life Insurance and Annuities – Record Retention**

FOR the purpose of requiring insurers, except as otherwise provided in certain provisions of law, to maintain certain records for a certain minimum period of time after an individual or a group policy of life insurance or an individual or a group annuity is no longer in effect; and generally relating to the retention of records related to life insurance and annuities.

BY adding to
Article – Insurance
Section 16–120
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 339 – Senators Kagan and Reilly (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland) and Senators Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Griffith, Guzzone, Hayes, Hershey, Hester, Jennings, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Ready, Rosapepe, Salling, Serafini, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System**
**(Carl Henn's Law)**

FOR the purpose of ~~requiring a certain custodian of records to deny inspection of the part of a 9–1–1 communications record that depicts certain information, subject to a certain exception; authorizing a custodian to redact certain information under certain circumstances; requiring a certain custodian to allow inspection of a certain public record by the person in interest; providing that this Act may not be construed to affect the discovery or evidentiary rights of certain parties;~~ altering certain references from "calls" to "requests for emergency services" for purposes of provisions of law concerning 9–1–1 service; requiring the Emergency Number Systems Board to establish certain minimum standards for records retention guidelines for 9–1–1 audio, video, text messages, and data; requiring the Board to establish certain training standards for public safety answering point personnel; requiring the Board to establish certain minimum standards for cybersecurity, oversight, and accountability; requiring certain planning guidelines established by the Board for certain 9–1–1 system plans to require Next Generation 9–1–1 services systems to be interconnected and interoperable, as determined by the Board; requiring the Board to establish certain minimum standards for certain 9–1–1 systems that ensure certain access for individuals with disabilities and individuals who use assistive technologies and to update those standards in a certain manner; altering the purposes of the 9–1–1 Trust Fund beginning on a certain date; authorizing the use of money collected from a certain 9–1–1 fee to pay costs associated with maintenance, operations, and programs approved by the Board in accordance with certain provisions of this Act; requiring, rather than authorizing, the use of money from a certain prepaid wireless E 9–1–1 fee for certain purposes; requiring the Board, in consultation with the Maryland Cybersecurity Council, to establish certain cybersecurity standards for public safety answering points; requiring the director of each public safety answering point to examine the cybersecurity of the public safety answering point under certain circumstances and to submit to the Board a certain report; prohibiting the Comptroller from paying any money from the 9–1–1 Trust Fund to a county under certain circumstances; altering the amount of and method for calculating the 9–1–1 fee; altering the amount of and method for calculating a certain additional charge; authorizing a county to impose an additional charge not

exceeding a certain increased amount under certain circumstances; providing an emergency services Internet Protocol network provider and a core service provider of Next Generation 9–1–1 services certain immunity from liability; requiring the Governor to provide a certain plan; ~~providing for the application of certain provisions of this Act;~~ defining ~~and~~ a certain term; altering certain terms; making certain conforming changes; making certain stylistic changes; and generally relating to 9–1–1 service.

~~BY repealing and reenacting, without amendments,~~
~~Article – General Provisions~~
~~Section 4–328~~
~~Annotated Code of Maryland~~
~~(2014 Volume and 2018 Supplement)~~

~~BY adding to~~
~~Article – General Provisions~~
~~Section 4–342~~
~~Annotated Code of Maryland~~
~~(2014 Volume and 2018 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–301, 1–304(f), 1–306, and 1–308 through 1–311
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–303, 1–307, and 1–312
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Public Safety
Section 1–309.1 and 1–315
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 415 – Senator Kramer**

AN ACT concerning

**Long–Term Care Insurance – Annual Notice**

FOR the purpose of requiring certain carriers to provide each insured under a policy or contract of long–term care insurance in the State an annual notice, in a certain manner, containing certain information; and generally relating to long–term care insurance.

BY adding to
Article – Insurance
Section 18–117.1
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 522 – Senators Kelley, Beidle, Benson, Eckardt, Edwards, Elfreth, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hershey, Jennings, Kagan, King, Klausmeier, Kramer, Lam, Lee, Patterson, Pinsky, Reilly, Rosapepe, Serafini, Washington, West, and Young**

AN ACT concerning

**Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Revisions**

FOR the purpose of altering the membership of the Council; repealing the requirement that the Secretary of Health and the Secretary of Aging, or their designees, cochair the Council; requiring the members of the Council to select the chair of the Council; repealing certain duties of the Council and requiring the Council to update a certain plan, examine the needs of certain individuals and identify methods to meet certain needs, advise the Governor and the General Assembly on certain matters, and develop and promote certain strategies; requiring the Council to submit a certain report by a certain date each year to the Governor and the General Assembly; making a conforming change; extending the termination date of certain provisions of law that establish and govern the Council; and generally relating to the Virginia I. Jones Alzheimer's Disease and Related Disorders Council.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–3201, 13–3204, and 13–3205
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3203 and 13–3206
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Health – General
Section 13–3207
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 305 of the Acts of the General Assembly of 2013, as amended by Chapters 74 and 75 of the Acts of the General Assembly of 2016
Section 2

BY repealing and reenacting, with amendments,
Chapter 306 of the Acts of the General Assembly of 2013, as amended by Chapters 74 and 75 of the Acts of the General Assembly of 2016
Section 2

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

**Senate Bill 796 – Senators Hayes and Lam**

AN ACT concerning

**State Commission on Kidney Disease – Membership – Revisions**

FOR the purpose of repealing a certain provision of law that prohibits certain members of the State Commission on Kidney Disease from having any direct ownership in renal dialysis or kidney transplant centers that do business in the State; altering the number of names required to be on a certain list; and generally relating to the membership of the State Commission on Kidney Disease.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–305
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

## QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 288)

## CALENDAR OF THIRD READING SENATE BILLS NO. 1

**Senate Bill 156 – Senator Elfreth**

AN ACT concerning

**Mandated Appropriation – City of Annapolis – Services**

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

Affirmative – 135 Negative – 5 (See Roll Call No. 289)

The Bill was then returned to the Senate.

**Senate Bill 300 – Senators Benson, Guzzone, Hayes, Klausmeier, Lee, McCray, Patterson, and Rosapepe**

AN ACT concerning

**Prevailing Wage Rates – Public Work Contracts – Suits by Employees**

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

Affirmative – 97 Negative – 42 (See Roll Call No. 290)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 27**

**House Bill 1052 – Delegate Miller (By Request – Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public Health)**

AN ACT concerning

**Alcohol~~,~~ and Tobacco~~, and Motor Fuel~~ Commission**

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 23**

**House Bill 228 – Delegate Cullison**

AN ACT concerning

**State Board of Nursing – Criminal History Records Checks – ~~Certified Nursing Assistants and Certified Medication Technicians~~ Revised Statement**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 291)

The Bill was then sent to the Senate.

**House Bill 478 – Delegate Kelly**

AN ACT concerning

**Procurement – Qualification Based Selection – Land Surveying Services**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the Senate.

**House Bill 531 – Delegates Valentino–Smith, Anderton, Bartlett, Buckel, Cullison, Hettleman, Jones, Lierman, Luedtke, Pena–Melnyk, Reznik, Solomon, Terrasa, and P. Young**

AN ACT concerning

**State Personnel – Payment of State Employee Wages – Repeal of Sunset Provision**

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

Affirmative – 101 Negative – 38 (See Roll Call No. 293)

The Bill was then sent to the Senate.

**House Bill 602 – Delegate D.E. Davis**

AN ACT concerning

**Insurance – Investments of Insurers Other Than Life Insurers – Real Estate**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 294)

The Bill was then sent to the Senate.

**House Bill 657 – Delegates McIntosh and Rosenberg**

AN ACT concerning

**Arts Education in Maryland Schools Alliance Grant**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 295)

The Bill was then sent to the Senate.

**House Bill 838 – Delegates Valentino–Smith, Acevero, Hettleman, Krimm, Lierman, Solomon, Terrasa, and P. Young**

AN ACT concerning

**Food Supplement Program – Restaurant Meals Program**

Delegate Kipke moved to make the Bill a Special Order for March 8, 2019.

The motion was adopted.

**House Bill 1072 – Delegates Brooks, D. Barnes, Bromwell, Carey, Dumais, Fennell, Glenn, Haynes, Hettleman, Mosby, Patterson, Proctor, Qi, Sample–Hughes, Stein, Walker, R. Watson, Wilson, and P. Young**

AN ACT concerning

**Transportation Network Companies – Insurance**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 296)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 25

**House Bill 71 – Delegates Korman ~~and Buckel~~, Buckel, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**State Board of Elections – Open Meetings – Video Streaming and Recording (State Board of Elections Transparency Act)**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 297)

The Bill was then sent to the Senate.

**House Bill 82 – Delegates Charkoudian, Lierman, Feldmark, W. Fisher, Glenn, Guyton, Korman, Lehman, R. Lewis, Palakovich Carr, Stewart, Terrasa, Washington, and Wilkins**

AN ACT concerning

**Transportation – Complete Streets – Access to Healthy Food and Necessities**

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

Affirmative – 121 Negative – 19 (See Roll Call No. 298)

The Bill was then sent to the Senate.

**House Bill 110 – Delegates Walker, Acevero, Anderson, Anderton, B. Barnes, Bartlett, Branch, Bridges, Bromwell, Brooks, Cardin, Carey, Charles, Conaway, Crutchfield, Cullison, D.E. Davis, Fennell, M. Fisher, W. Fisher, Gaines, Ghrist, Gilchrist, Glenn, Healey, Hill, Holmes, Hornberger, Ivey, Jackson, Jacobs, Kipke, Lehman, J. Lewis, Lierman, Long, McKay, Metzgar, Moon, Morgan, Mosby, Otto, Pena–Melnyk, Proctor, Reznik, Smith, Stein, Sydnor, Szeliga, Terrasa, Turner, Valderrama, Valentino–Smith, Washington, R. Watson~~, and Wilson~~, Wilson, Kaiser, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Luedtke, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, and Wilkins**

AN ACT concerning

**~~Elementary~~ Public School Students – Daily Physical Activity (Student Health and Fitness Act)**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 299)

The Bill was then sent to the Senate.

**House Bill 188 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Property Tax Credits – Grocery Stores**

**PG 409–19**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 300)

The Bill was then sent to the Senate.

**House Bill 295 – Delegates Wilkins, D. Barnes, Feldmark, Fennell, W. Fisher, and Palakovich Carr**

AN ACT concerning

**Nonpublic Elementary and Secondary Schools – Discrimination – Prohibition**

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

Affirmative – 93 Negative – 47 (See Roll Call No. 301)

The Bill was then sent to the Senate.

**House Bill 396 – Delegates Carr, Shetty, and Solomon**

AN ACT concerning

**Property Tax – Optional Installment Payment Schedule**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 302)

The Bill was then sent to the Senate.

**House Bill 486 – Delegates Wilson, Atterbeary, Bromwell, Guyton, Patterson, Reilly, Walker, ~~and P. Young~~ P. Young, Kaiser, D. Barnes, Boteler, Buckel, Cain, Ebersole, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Rose, Shoemaker, Smith, Turner, Washington, and Wilkins**

AN ACT concerning

**Education – Personnel Matters – Child Sexual Abuse and Sexual Misconduct Prevention**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 303)

The Bill was then sent to the Senate.

**House Bill 1104 – Delegates Sample–Hughes, R. Lewis, and P. Young**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Licensure, Disciplinary Action, Criminal History Records Checks, and Trainee Status – Revisions**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 304)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 22**

**House Bill 406 – Delegate Beitzel**

AN ACT concerning

**Wetlands and Waterways Program – State–Owned ~~Lands~~ Lakes – Structural Shoreline Stabilization**

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

Affirmative – 131 Negative – 7 (See Roll Call No. 305)

The Bill was then sent to the Senate.

**House Bill 488 – Delegate McIntosh**

AN ACT concerning

**Forestry – Mel Noland Fellowship Program – Establishment**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 306)

The Bill was then sent to the Senate.

**House Bill 563 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Gaming and Benefit Performances – Repeal**

**MC 14–19**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 307)

The Bill was then sent to the Senate.

**House Bill 570 – Delegates Sample–Hughes, Barron, Crutchfield, Ghrist, Kelly, Krebs, R. Lewis, Patterson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Metzgar, Morgan, Rosenberg, Saab, and Szeliga**

AN ACT concerning

**Behavioral Health Programs – Medical Directors – Telehealth**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 308)

The Bill was then sent to the Senate.

**House Bill 638 – Delegates Pendergrass, McIntosh, Pena–Melnyk, ~~and Reznik~~ Reznik, Bagnall, Barron, Carr, Charles, Cullison, Hill, Kelly, Kerr, Kipke, Krebs, R. Lewis, Rosenberg, Sample–Hughes, and K. Young**

AN ACT concerning

**State Board of Physicians – Sunset Evaluation and Performance Audit**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 309)

The Bill was then sent to the Senate.

**House Bill 664 – Delegates D. Barnes, Charles, Conaway, Ebersole, Fennell, W. Fisher, Glenn, Haynes, Mosby, Palakovich Carr, Patterson, Pena–Melnyk, Proctor, Sample–Hughes, Sydnor, Walker, Washington, R. Watson, Wells, and Wilkins**

AN ACT concerning

**State Department of Education – Nonprofit Youth Development Program – Established**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 310)

The Bill was then sent to the Senate.

**House Bill 685 – Delegates Wilson, Acevero, Anderson, Barron, Brooks, Conaway, Fennell, Ivey, Lehman, Patterson, and Proctor**

AN ACT concerning

**Video Lottery Terminals – Minority Business Participation Goals – Enforcement and Reporting**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 311)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 24

**House Bill 203 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Maximum Speed Limits Outside Urban Districts**

**MC 24–19**

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

Affirmative – 135 Negative – 5 (See Roll Call No. 312)

The Bill was then sent to the Senate.

**House Bill 323 – Delegate Otto**

AN ACT concerning

**Somerset County – Commissioners – Residency Requirements**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 313)

The Bill was then sent to the Senate.

**House Bill 398 – Delegates Cassilly and Jalisi**

AN ACT concerning

**Vehicle Laws – Overtaking and Passing Bicycles, EPAMDs, or Motor Scooters**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 314)

The Bill was then sent to the Senate.

**House Bill 401 – Harford County Delegation**

AN ACT concerning

**Harford County – Hunting – Deer Management Permits**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 315)

The Bill was then sent to the Senate.

**House Bill 404 – ~~Delegate R. Lewis~~ Delegates R. Lewis, Bagnall, Bhandari, and Hill**

SECOND PRINTING

AN ACT concerning

**State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements**

Delegate Kelly moved to reconsider the vote by which **House Bill 404** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

**HB0404/503526/1**
BY: Delegate Kelly

AMENDMENT TO HOUSE BILL 404
(Bill as Printed for Third Reading)

On page 1, in the sponsor line, after "Delegates" insert "R. Lewis,".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**House Bill 416 – Chair, Joint Committee on Federal Relations**

AN ACT concerning

**Atlantic States Marine Fisheries Compact – Amendment I – Adoption**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 316)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 20**

**House Bill 21 – ~~Delegate~~ Delegates Carr, Bagnall, Barron, Bhandari, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**Maryland Transportation Authority – Video Streaming and Archiving – Open Meetings**

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

Affirmative – 139 Negative – 1 (See Roll Call No. 317)

The Bill was then sent to the Senate.

**House Bill 183 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Property Tax Credit for Security Camera Systems**

**PG 413–19**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 318)

The Bill was then sent to the Senate.

**House Bill 223 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Property Tax Credits – Teachers**

**PG 410–19**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the Senate.

**House Bill 359 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Building Authority Commission – Repeal**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the Senate.

**House Bill 394 – Delegates Cassilly, Johnson, and Lisanti**

AN ACT concerning

**Tidal Fish Licenses – Authorization to Catch Crabs – Application Requirements**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 321)

The Bill was then sent to the Senate.

**House Bill 966** – **Delegates Smith, Attar, Boyce, Bridges, Carr, Crutchfield, Gaines, Glenn, Guyton, Ivey, J. Lewis, R. Lewis, Lierman, Luedtke, Moon, Mosby, Qi, Queen, Shetty, Solomon, Terrasa, Turner, Washington, Wells, ~~and Wilkins~~ Wilkins, Cain, Feldmark, Patterson, Walker, and Ebersole**

AN ACT concerning

**Public Schools – Fees for Summer School Courses – Prohibition**

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

Affirmative – 139 Negative – 1 (See Roll Call No. 322)

The Bill was then sent to the Senate.

**House Bill 1078** – **Delegate Guyton**

AN ACT concerning

**Education – Public School Holidays – Presidents' Day and Easter**

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

Affirmative – 120 Negative – 19 (See Roll Call No. 323)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 26**

**House Bill 399** – **Delegates Pendergrass, Acevero, Anderson, Atterbeary, B. Barnes, Bartlett, Barve, Boyce, Bromwell, Cardin, Carr, Charkoudian, Crutchfield, Cullison, Dumais, Ebersole, Feldmark, Fennell, Fraser–Hidalgo, Gilchrist, Hettleman, Hill, Holmes, Kaiser, Kelly, Kittleman, Korman, Lafferty, Lehman, R. Lewis, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnyk, Proctor, Qi, Reznik,**

**Rosenberg, Shetty, Solomon, Stein, Stewart, Terrasa, C. Watson, Wilkins, ~~and K. Young~~ K. Young, and P. Young**

AN ACT concerning

**End–of–Life Option Act**
**(Richard E. Israel and Roger "Pip" Moyer Act)**

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

Affirmative – 74 Negative – 66 (See Roll Call No. 324)

The Bill was then sent to the Senate.

## JUDICIARY COMMITTEE REPORT NO. 5

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 214 – Delegates Pena–Melnyk, Acevero, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Dumais, Fennell, W. Fisher, Fraser–Hidalgo, Glenn, Healey, Hill, Ivey, Kelly, Korman, Lafferty, Lehman, J. Lewis, R. Lewis, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Pendergrass, Proctor, Reznik, Rosenberg, Shetty, Stewart, Sydnor, Turner, Valderrama, Valentino–Smith, Walker, Washington, and Wilkins**

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**

**HB0214/602811/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 214
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "family member" and substitute "parent, guardian, or next friend"; in line 8, after "victim" insert "or the victim's parent, guardian, or next friend"; in line 14, strike "the immigration status of a victim or person requesting the certification" and substitute "information relating to a victim who is seeking or has obtained U

Nonimmigrant Status"; in line 15, after "circumstances;" insert "providing that a certifying entity or certifying official is immune from certain criminal or civil liability for a certain action or failure to act, except under certain circumstances; clarifying that a certain provision of law does not limit a court's authority to grant injunctive relief; prohibiting a certain award of attorney's fees or costs in a certain action seeking enforcement of this Act, except under certain circumstances;"; and after line 16, insert:

"BY adding to
Article – Courts and Judicial Proceedings
Section 5–643
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2
On page 2, after line 1, insert:

"Article – Courts and Judicial Proceedings

**5–643.**

**(A) EXCEPT IN CASES OF WILLFUL OR WANTON MISCONDUCT, A CERTIFYING ENTITY OR CERTIFYING OFFICIAL WHO, IN GOOD FAITH, ACTS OR FAILS TO ACT IN COMPLIANCE WITH § 11–931 OF THE CRIMINAL PROCEDURE ARTICLE SHALL BE IMMUNE FROM CRIMINAL LIABILITY OR CIVIL LIABILITY FOR MONETARY DAMAGES THAT MIGHT OTHERWISE OCCUR AS A RESULT OF THE ACT OR FAILURE TO ACT.**

**(B) SUBSECTION (A) OF THIS SECTION DOES NOT LIMIT A COURT'S AUTHORITY TO GRANT INJUNCTIVE RELIEF.**".

On page 4, after line 22, insert:

"**(H) (1) EXCEPT IN CASES OF WILLFUL OR WANTON MISCONDUCT, A CERTIFYING ENTITY OR CERTIFYING OFFICIAL WHO, IN GOOD FAITH, ACTS OR FAILS TO ACT IN COMPLIANCE WITH THIS SECTION HAS THE IMMUNITY FROM LIABILITY DESCRIBED IN § 5–643 OF THE COURTS ARTICLE.**

**(2) A PERSON MAY BRING AN ACTION TO SEEK ENFORCEMENT OF THIS SECTION BUT MAY NOT BE AWARDED ATTORNEY'S FEES OR COSTS UNLESS THE**

**ACTION DEMONSTRATES WILLFUL OR WANTON MISCONDUCT BY A CERTIFYING ENTITY OR CERTIFYING OFFICIAL.**".

AMENDMENT NO. 3

On page 2, strike beginning with "**ISSUE**" in line 23 down through "**CERTIFICATIONS**" in line 24 and substitute "**PROVIDE U NONIMMIGRANT STATUS CERTIFICATIONS**"; and in line 26, strike "**214.14(A)(2)**" and substitute "**214.14(A)(3)**".

AMENDMENT NO. 4

On page 3, in line 3, strike "**QUALIFYING**"; in line 4, after "**UNDER**" insert "**TITLE 8,**"; strike beginning with "**FEDERAL**" in line 4 down through "**ACT**" in line 5 and substitute "**UNITED STATES CODE**"; in line 9, strike "**FAMILY MEMBER**" and substitute "**PARENT, GUARDIAN, OR NEXT FRIEND**"; in line 12, after "**ACTIVITY**" insert "**AND HAS BEEN HELPFUL TO THE CERTIFYING ENTITY IN THE DETECTION, INVESTIGATION, OR PROSECUTION OF THAT QUALIFYING CRIMINAL ACTIVITY**"; in the same line, strike "**AND**"; strike in their entirety lines 13 through 15, inclusive, and substitute:

"**(2) WAS UNDER THE AGE OF 16 YEARS ON THE DATE THAT AN ACT THAT CONSTITUTES AN ELEMENT OF QUALIFYING CRIMINAL ACTIVITY FIRST OCCURRED AND THE VICTIM'S PARENT, GUARDIAN, OR NEXT FRIEND HAS BEEN HELPFUL TO THE CERTIFYING ENTITY IN THE DETECTION, INVESTIGATION, OR PROSECUTION OF THAT QUALIFYING CRIMINAL ACTIVITY; OR**

**(3) IS INCAPACITATED OR INCOMPETENT AND THE VICTIM'S PARENT, GUARDIAN, OR NEXT FRIEND HAS BEEN HELPFUL TO THE CERTIFYING ENTITY IN THE DETECTION, INVESTIGATION, OR PROSECUTION OF THAT QUALIFYING CRIMINAL ACTIVITY.**";

in lines 17, 19, and 21, in each instance, after "**VICTIM**" insert "**OR THE VICTIM'S PARENT, GUARDIAN, OR NEXT FRIEND**"; and in line 27, after "**VICTIM'S**" insert "**OR THE VICTIM'S PARENT'S, GUARDIAN'S, OR NEXT FRIEND'S**".

AMENDMENT NO. 5

On page 4, in line 5, after "**REMOVAL**" insert "**, EXCLUSION, OR DEPORTATION**"; in line 6, after "**PROCEEDINGS**" insert "**OR SUBJECT TO A FINAL ORDER OF REMOVAL, EXCLUSION, OR DEPORTATION**"; in lines 10 and 11, strike "**FAMILY MEMBER**" and substitute "**PARENT, GUARDIAN, OR NEXT FRIEND**"; strike beginning with "**IF**" in line 14

down through "**REQUESTED**" in line 15 and substitute "**ON REFUSAL TO PROVIDE INFORMATION AND ASSISTANCE WHEN REASONABLY REQUESTED OF:**

**(1) THE VICTIM; OR**

**(2) THE VICTIM'S PARENT, GUARDIAN, OR NEXT FRIEND IF THE VICTIM WAS UNDER THE AGE OF 16 YEARS ON THE DATE THAT AN ACT THAT CONSTITUTES AN ELEMENT OF QUALIFYING CRIMINAL ACTIVITY FIRST OCCURRED OR IF THE VICTIM IS INCAPACITATED OR INCOMPETENT**";

strike beginning with "**THE**" in line 16 down through "**ONLY**" in line 18 and substitute "**INFORMATION RELATING TO A VICTIM WHO IS SEEKING OR HAS OBTAINED U NONIMMIGRANT STATUS ONLY**"; in line 19, strike "**OR LEGAL PROCESS**" and substitute "**, A COURT ORDER, OR A DISCOVERY OBLIGATION IN THE PROSECUTION OF A CRIMINAL OFFENSE**"; and strike in their entirety lines 21 and 22 and substitute:

"**(2) AFTER ADULT PETITIONERS FOR U NONIMMIGRANT STATUS OR ADULT U NONIMMIGRANT STATUS HOLDERS HAVE PROVIDED WRITTEN CONSENT FOR THE DISCLOSURE OF THE INFORMATION.**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 240 – Delegates Rosenberg, Attar, Bridges, Cardin, Chang, Guyton, Hettleman, Lierman, Moon, Solomon, Stein, and Sydnor**

AN ACT concerning

**Hate Crimes – Threats and Penalties**

**HB0240/852217/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 240

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Penalties"; in line 4, strike "and altering"; strike beginning with "authorizing" in line 4 down through "changes" in line 6 and substitute "repealing a certain duplicative prohibition"; in line 10, strike "through 10–306" and substitute ", 10–304, and 10–305"; strike in their entirety lines 13 through 17, inclusive; and in line 20, after "Section" insert "10–303, 10–306, and".

AMENDMENT NO. 2

On page 2, in lines 2, 3, 15, and 26, in each instance, strike the brackets; in lines 2 and 26, in each instance, after "attempt" insert "**OR THREATEN**"; strike in their entirety lines 9 through 13, inclusive; and strike in their entirety lines 17 through 21, inclusive.

On page 3, in line 2, strike the second bracket; in lines 3, 16, and 17, in each instance, strike the brackets; in line 4, strike the second set of brackets; in lines 2, 4, 16, and 17, in each instance, after "attempt" insert "**OR THREATEN**"; strike in their entirety lines 10 through 14, inclusive; and strike in their entirety lines 26 through 30, inclusive.

AMENDMENT NO. 3

On page 4, in lines 2 and 9, in each instance, strike the brackets; in line 2, strike "**SUBSECTIONS (B) AND (C)**"; in line 9, strike "**(C)**"; strike in their entirety lines 5 through 8, inclusive; and strike in their entirety lines 15 through 20, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 253 – Delegates Valentino–Smith, Atterbeary, Dumais, Fennell, W. Fisher, Lehman, McComas, Pena–Melnyk, Proctor, Stewart, and Sydnor**

AN ACT concerning

**Protective Orders – Relief – Transfer of Wireless Telephone Service**

**HB0253/412816/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 253
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Protective" insert "Final"; in line 3, strike "temporary protective order or a"; strike beginning with "requiring" in line 6 down through "notice" in line 9 and substitute "requiring a wireless telephone service provider to comply with a certain order unless the wireless telephone service provider cannot operationally or technically effectuate the order"; in line 17, after "order;" insert "requiring the court to ensure that certain information is not disclosed to an account holder in certain proceedings;"; in line 21, strike "4–505(a)(2)(viii) and (ix) and"; and in line 26, strike "4–505(a)(2)(x), 4–506(d)(14)," and substitute "4–506(d)(14)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 25, inclusive.

On page 3, in line 3, after "**CUSTODY**" insert "**IF THE PERSON ELIGIBLE FOR RELIEF IS NOT THE ACCOUNT HOLDER**"; strike beginning with "**(1)**" in line 7 down through "**(2)**" in line 10; in line 11, strike "**THE ORDER WITHIN 72 HOURS AFTER SERVICE OF THE ORDER,**" and substitute "**AN ORDER ISSUED UNDER § 4–506(D)(14) OF THIS SUBTITLE**"; strike beginning with "**NOTIFIES**" in line 12 down through "**THAT:**" in line 13 and substitute "**NOTIFIES THE COURT THAT THE WIRELESS TELEPHONE SERVICE PROVIDER CANNOT OPERATIONALLY OR TECHNICALLY EFFECTUATE THE ORDER.**"; strike in their entirety lines 14 through 20, inclusive; in line 21, strike "**§ 4–505(A)(2)(X) OR**"; in line 25, strike "**AND**"; and after line 27, insert:

"**(III) EACH TELEPHONE NUMBER TO BE TRANSFERRED TO THE PERSON ELIGIBLE FOR RELIEF; AND**".

On page 4, in line 14, strike "**§ 4–505(A)(2)(X) OR**"; and after line 15, insert:

"**(E) THE COURT SHALL ENSURE THAT THE CONTACT INFORMATION OF THE PERSON ELIGIBLE FOR RELIEF IS NOT DISCLOSED TO THE ACCOUNT HOLDER IN ANY PROCEEDING UNDER THIS SUBTITLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 263** – **Delegate Atterbeary**

AN ACT concerning

**Criminal Procedure – Pretrial Release Services Program – Victim Notification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 280** – **Delegate Dumais**

AN ACT concerning

**Criminal Procedure – Charging Procedures and Documents – Citation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 402** – **Delegate Atterbeary**

AN ACT concerning

**Family Law – Grounds for Divorce**

**HB0402/452319/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 402
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "a" in line 3 down through "or" in line 4; in line 4, strike "12–month"; in the same line, after "separation" insert "of affection"; in line 6, strike "a limited or"; and in line 9, strike "7–102 and".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 9 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, in line 23, strike "12–month"; and in the same line, after "separation" insert "**OF AFFECTION**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 420 – Delegate Sydnor**

EMERGENCY BILL

AN ACT concerning

**Criminal Law – Threat of Mass Violence**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 481 – Delegates Mosby, Shoemaker, Acevero, Adams, Anderton, Arentz, Arikan, Attar, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boteler, Boyce, Branch, Bridges, Bromwell, Brooks, Buckel, Cain, Cardin, Carr, Cassilly, Charkoudian, Charles, Clark, Conaway, Corderman, Cox, Crosby, Crutchfield, Cullison, D.E. Davis, Ebersole, Feldmark, Fennell, M. Fisher, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Guyton, Hartman, Haynes, Hettleman, Hill, Holmes, Hornberger, Impallaria, Ivey, Jackson, Jacobs, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lehman, J. Lewis,**

**R. Lewis, Lierman, Lisanti, Long, Lopez, Love, Luedtke, Mangione, Mautz, McComas, McIntosh, McKay, Metzgar, Miller, Moon, Morgan, Otto, Palakovich Carr, Parrott, Patterson, Pena–Melnyk, Pendergrass, Pippy, Proctor, Qi, Queen, Reilly, Rose, Rosenberg, Saab, Sample–Hughes, Shetty, Smith, Solomon, Stewart, Sydnor, Szeliga, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wells, Wilkins, Wilson, Wivell, K. Young, and P. Young**

AN ACT concerning

**Criminal Law – Sale of a Minor – Felony**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 554 – Delegate Malone**

AN ACT concerning

**Criminal Procedure – Forfeiture Proceedings – Notice**

**HB0554/672215/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 554
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "be" insert "prominently".

AMENDMENT NO. 2

On page 2, in line 14, after "**(II)**" insert "**PROMINENTLY**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 6

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 109 – Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser–Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, and K. Young**

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – Prohibition**

**HB0109/120017/2**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 109
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Prohibition" and substitute "Prohibitions"; in line 8, after "food" insert "or beverages"; in line 9, after the semicolon insert "providing that certain provisions of this Act do not prohibit a person from storing a food service product for later distribution outside the State;"; and in lines 12, 13, and 15, in each instance, strike "county health department" and substitute "unit of county government".

AMENDMENT NO. 2

On page 2, in line 15, strike "**USED**" and substitute "**:**

**(I) USED**";

in line 16, after "**FOOD**" insert "**OR BEVERAGES; AND**

**(II) 1. INTENDED BY THE MANUFACTURER TO BE USED ONCE FOR EATING OR DRINKING; OR**

**2. GENERALLY RECOGNIZED BY THE PUBLIC AS AN ITEM TO BE DISCARDED AFTER ONE USE**";

in line 21, strike "**MEAT AND VEGETABLE TRAYS**" and substitute "**TRAYS**"; in line 22, strike "**EGG CARTONS**" and substitute "**CARTONS FOR EGGS OR OTHER FOOD**"; strike in their entirety lines 25 through 28, inclusive; in line 29, strike "**(II)**" and substitute "**(I)**"; and in the same line, strike "**FILLED AND**".

On page 3, in line 1, strike "**SEALED**" and substitute "**PACKAGED**"; in line 2, strike "**THE**" and substitute "**A**"; in line 3, strike "**MATERIALS**" and substitute "**A PRODUCT MADE OF EXPANDED POLYSTYRENE THAT IS**"; in lines 4 and 5, strike "**FOR OFF–PREMISES CONSUMPTION**"; in lines 3 and 6, strike "**(III)**" and "**(IV)**", respectively, and substitute "**(II)**" and "**(III)**", respectively; in line 7, after the second "**BUSINESS**" insert "**IN THE STATE**"; in line 8, after "**FOOD**" insert "**OR BEVERAGES**"; in the same line, strike "**IN THE STATE**"; in line 9, after "**INCLUDES**" insert "**A BUSINESS OR INSTITUTIONAL CAFETERIA, INCLUDING A CAFETERIA OPERATED BY OR ON BEHALF OF THE STATE OR A LOCAL GOVERNMENT**"; and strike beginning with the colon in line 9 down through "**STATE**" in line 21.

On page 4, after line 2, insert:

"**(F) "UNIT OF COUNTY GOVERNMENT" INCLUDES:**

**(1) A LOCAL HEALTH DEPARTMENT; OR**

**(2) A LOCAL ENVIRONMENTAL DEPARTMENT.**".

AMENDMENT NO. 3

On page 4, in lines 8 and 10, in each instance, strike "**JANUARY**" and substitute "**JULY**"; in line 11, after the first "**FOOD**" insert "**OR BEVERAGES**"; and after line 12, insert:

"**(C) THIS SECTION DOES NOT PROHIBIT A PERSON FROM STORING A FOOD SERVICE PRODUCT FOR LATER DISTRIBUTION OUTSIDE THE STATE.**".

AMENDMENT NO. 4

On page 4, in line 20, strike "**COUNTY HEALTH DEPARTMENTS**" and substitute "**RELEVANT UNITS OF COUNTY GOVERNMENT**".

On page 5, in lines 5, 13, and 17, in each instance, strike "**COUNTY HEALTH DEPARTMENT**" and substitute "**UNIT OF COUNTY GOVERNMENT**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for March 8, 2019.

The motion was adopted.

## QUORUM CALL

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

(See Roll Call No. 325)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 21

**House Bill 367 – Delegates Solomon, Acevero, Cain, Ebersole, Feldmark, Guyton, Ivey, Lehman, J. Lewis, Lierman, Love, Mosby, Palakovich Carr, Patterson, Shetty, Smith, Stewart, Turner, Washington, and Wilkins**

AN ACT concerning

**Public Safety – Education – Firearm Funding**

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

Affirmative – 95 Negative – 44 (See Roll Call No. 326)

The Bill was then sent to the Senate.

**House Bill 461 – Delegates Hettleman, B. Barnes, Barron, Bartlett, Boyce, Brooks, Cardin, Chang, Ebersole, Feldmark, Hill, Jackson, Jalisi, Jones, Kaiser, Kelly, Kerr, Korman, Lafferty, Lehman, R. Lewis, Lierman, Pena–Melnyk, Pendergrass, Smith, Stein, Stewart, Sydnor, Terrasa, Valderrama, and K. Young**

AN ACT concerning

**Maryland Higher Education Commission – Private Nonprofit Institutions of Higher Education – Regulation**
**(Private Nonprofit Institution of Higher Education Protection Act of 2019)**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 327)

The Bill was then sent to the Senate.

**House Bill 524 – Delegates Wilson, Brooks, Carey, Charkoudian, Crosby, Fennell, Glenn, Lehman, Lisanti, Turner, and Wells**

AN ACT concerning

**Prevailing Wage Rates – Public Work Contracts – Suits by Employees**

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

Affirmative – 97 Negative – 42 (See Roll Call No. 328)

The Bill was then sent to the Senate.

**House Bill 704 – Delegates Washington ~~and Charkoudian~~, Charkoudian, and Cain**

AN ACT concerning

**Maryland Longitudinal Data System – Student Data and Governing Board**

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

Affirmative – 121 Negative – 18 (See Roll Call No. 329)

The Bill was then sent to the Senate.

**House Bill 808 – Delegates Ghrist, Adams, Anderton, Arentz, Beitzel, Clark, Jacobs, Lafferty, Mautz, McKay, Otto, Sample–Hughes, and Stein**

AN ACT concerning

**Weed Control – Noxious Weeds – Regulations and Penalties**

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

Affirmative – 136 Negative – 3 (See Roll Call No. 330)

The Bill was then sent to the Senate.

**House Bill 1188 – Delegate Adams**

AN ACT concerning

**Interception of Communication – Financial Institutions**

Delegate Adams moved to reconsider the vote by which **House Bill 1188** was ordered printed for Third Reading.

The motion was adopted.

Delegate Adams moved to make the Bill a Special Order for March 13, 2019.

The motion was adopted.

**House Bill 1268 – Delegates Hettleman, Barron, Cardin, Charkoudian, Conaway, W. Fisher, Kelly, Korman, Lehman, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, Moon, Palakovich Carr, Queen, Reznik, Solomon, Sydnor, Terrasa, Valentino–Smith, C. Watson, and Wilkins**

AN ACT concerning

**Public Safety – Rape Kit Testing Grant Fund – Established**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 331)

The Bill was then sent to the Senate.

## SPECIAL ORDERS

**House Bill 1052 – Delegate Miller (By Request – Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public Health)**

AN ACT concerning

**Alcohol, Tobacco, and Motor Fuel Commission**

STATUS OF BILL: ON 3RD READING.

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

Affirmative – 97 Negative – 36 (See Roll Call No. 332)

The Bill was then sent to the Senate.

## INTRODUCTION OF BILLS

Delegate Pendergrass moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 333)

In compliance with the rules, the Bill was introduced.

**House Bill 1426 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)**

AN ACT concerning

**Health Services Cost Review Commission – Duties and Reports – Revisions**

FOR the purpose of altering the information required to be included in a certain annual report required to be submitted to certain persons by the Health Services Cost Review Commission; altering a certain reporting date; repealing certain provisions of law rendered obsolete by certain provisions of this Act; authorizing the Commission, on request by the Secretary of Health, to assist in the implementation of certain model programs; making technical changes; defining a certain term; and generally relating to the Health Services Cost Review Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–201, 19–207(b), and 19–219(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing
Article – Health – General
Section 19–214(e)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–604
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

## LATE INTRODUCTION BOND INITIATIVES

Delegate Lehman moved the Bond Initiative be introduced.

The Speaker put the question: Shall the Bond Initiative be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 334)

In compliance with the rules, the Bond Initiative was introduced.

## BOND INITIATIVES

### Introductory House Bond Initiatives No. 35

### March 7, 2019

| | | | |
|---|---|---|---|
| 1. | Del. Lehman<br>Del. Pena–Melnyk<br>Del. B. Barnes | West Laurel Swim Club | APP |

The preceding bond initiative was read and referred to the Committee on Appropriations.

## LATE INTRODUCTION BOND INITIATIVES

Delegate Howard moved the Bond Initiative be introduced.

The Speaker put the question: Shall the Bond Initiative be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 335)

In compliance with the rules, the Bond Initiative was introduced.

## BOND INITIATIVES

### Introductory House Bond Initiatives No. 36

### March 7, 2019

| | | | |
|---|---|---|---|
| 1. | Del. Howard | Deale Volunteer Fire Department | APP |

The preceding bond initiative was read and referred to the Committee on Appropriations.

## QUORUM CALL

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

(See Roll Call No. 336)

## ADJOURNMENT

At 12:54 P.M. on motion of Delegate Dumais the House adjourned until 11:00 A.M. on Friday, March 8, 2019.

**Annapolis, Maryland**
**Friday, March 8, 2019**
**11:00 A.M. Session**

The House met at 11:21 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kevin B. Hornberger of Cecil County.

## QUORUM CALL

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

(See Roll Call No. 337)

EXCUSED:
Del. Arentz – business
Del. D.E. Davis – personal
Del. Hill – business
Del. Smith – illness
Del. Walker – illness

The Journal of March 7, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 23

**Senate Bill 53 – Chair, Finance Committee (By Request – Departmental – Maryland Energy Administration)**

AN ACT concerning

**State Finance and Procurement – Energy Performance Contracts**

FOR the purpose of providing that the Department of General Services is responsible for monitoring the status of certain energy performance contracts and reporting on that status to the Board of Public Works annually; requiring a primary procurement unit to consult with the Department before issuing a request for proposals for an energy performance contract; requiring the Department to review certain proposed requests for proposals for energy performance contracts; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to energy performance contracts.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 12–301 and 12–302
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12–301
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)
(As enacted by Chapter 590 of the Acts of the General Assembly of 2017)

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

**Senate Bill 97** – **Senators Hough ~~and Zirkin~~, Zirkin, Ready, and West**

AN ACT concerning

**Firearms – Right to Purchase, Possess, and Carry – Use of Medical Cannabis**

FOR the purpose of providing that a person may not be denied the right to purchase, possess, or carry a firearm solely on the basis that the person is authorized to use medical cannabis; and generally relating to firearms.

BY adding to
Article – Public Safety
Section 5–701 to be under the new subtitle "Subtitle 7. Miscellaneous"
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 114** – **Senators Hough, Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West**

AN ACT concerning

**Firearms – Handgun Permit – Preliminary Approval**

FOR the purpose of authorizing a person to apply for preliminary approval of a handgun permit without completing a certain firearms training requirement; requiring the Secretary of State Police to investigate an application for a handgun permit to determine if certain requirements have been satisfied; requiring the Secretary to issue preliminary approval for a handgun permit if the applicant meets certain requirements except for a certain firearms training requirement; requiring an applicant to satisfy a certain firearms training requirement within a certain period of time after receiving notice of preliminary approval of a handgun permit; requiring

the Secretary to revoke preliminary approval and deny a handgun permit if an applicant does not fulfill a certain firearms training requirement within a certain period of time; providing for the construction of this Act; and generally relating to handgun permits.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 138 – Senators Lee, Augustine, Elfreth, Ellis, Feldman, Kelley, King, Lam, Nathan–Pulliam, Patterson, Pinsky, Smith, and Washington**

AN ACT concerning

**Stalking – Violation of Conditions of Release ~~and Disqualifying Crime~~**

FOR the purpose of including the crime of stalking in the list of charges to which a certain prohibition against violating a certain condition of pretrial or posttrial release is applicable; ~~altering a certain definition of "convicted of a disqualifying crime" to include a case in which a person received probation before judgment for a certain crime of stalking;~~ and generally relating to the crime of stalking.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–213.1
Annotated Code of Maryland
(2018 Replacement Volume)

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Safety~~
~~Section 5–101(b–1)~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume)~~

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

**Senate Bill 147** – ~~**Senator Klausmeier**~~ **Senators Klausmeier, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Kramer, Reilly, and Young**

AN ACT concerning

**Public Health – Disposition of Remains – Forfeiture or Waiver of Right of Disposition**

FOR the purpose of adding an adult grandchild of a certain decedent to the list of persons who have the right to arrange for the final disposition of the body of the decedent; requiring a person to forfeit the right of final disposition of the body of a decedent and that the right pass to the next qualifying person under certain circumstances; providing that a certain person's right of disposition may be restored under certain circumstances; authorizing a person to waive the right of final disposition and requiring the right to pass to the next qualifying person under certain circumstances; prohibiting funeral directors, morticians, and funeral establishments from being held civilly liable for acting in reliance on this Act; providing for the construction of this Act; making conforming changes; and generally relating to the right of final disposition of the body of a decedent.

BY repealing and reenacting, ~~without~~ with amendments,
Article – Health – General
Section 5–509(c) and (d)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 5–509(g)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, ~~without~~ with amendments,
Article – Health Occupations
Section 7–410(c) and (d)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health Occupations
Section 7–410(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 180 – Senator King**

AN ACT concerning

**Education – Robotics Grant Program – Alterations**

FOR the purpose of expanding eligibility requirements for the Robotics Grant Program to include certain ~~nonprofit~~ organizations ~~and community clubs~~; ~~repealing the requirement for existing nonprofit robotics clubs to be associated with a public school to be eligible for the Program;~~ requiring the Governor to increase a certain appropriation to the Program in the State budget; defining a certain term; and generally relating to the Robotics Grant Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–123
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 212 – Senator Lee**

AN ACT concerning

**Estates and Trusts – Execution of Wills – Presence of Witnesses**

FOR the purpose of establishing that, for purposes of certain provisions of law governing the execution of a will, a witness does not satisfy a certain requirement to be in the presence of a testator if the witness is in a different physical location from the testator ~~and the testator can observe the witness only through electronic audio or video or other technological means~~; making stylistic changes; providing for the application of this Act; and generally relating to the execution of testamentary documents.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 4–102 and 4–104
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 236 – Senators Carter and Smith**

AN ACT concerning

**Jury Service – Qualification Criteria – Criminal Conviction or Charge**

FOR the purpose of increasing the minimum length of time of a certain criminal sentence or potential sentence that disqualifies an individual from jury service; making conforming changes; and generally relating to jury service qualifications.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–103 and 8–302
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 237 – Senators Carter, Smith, and Washington**

AN ACT concerning

**Vehicle Laws – Canceled, Revoked, and Suspended Driver's Licenses – Penalties**

FOR the purpose of altering certain penalties for a person who possesses a canceled, revoked, or suspended driver's license; and generally relating to penalties for possession of canceled, revoked, or suspended driver's licenses.

BY renumbering
Article – Transportation
Section 16–402(a)(16) through (42), respectively
to be Section 16–402(a)(17) through (43), respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–301(h), (i), and (j)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–301(r)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 16–402(a)(16)
Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402(a)(36)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 240 – Senator Edwards**

AN ACT concerning

**Maryland Community College Promise Scholarship Program – Alterations to the Award of Scholarship Funds**

FOR the purpose of ~~requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to select eligible applicants for the Maryland Community College Promise Scholarship program, to the extent practicable, at each community college based on each community college's proportionate share of a certain number of students;~~ specifying that if an award recipient is eligible for a local promise scholarship, an award under the program shall be credited to the tuition of a scholarship recipient before the award of a local promise scholarship; defining a certain term; and generally relating to the award of scholarship funds under the Maryland Community College Promise Scholarship program.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–3601~~, 18–3603,~~ and ~~18–3604~~ 18–3604(b)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18–3602(a) and (b)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 245 – ~~Senator Kramer~~ Senators Kramer, Lee, Smith, and West**

AN ACT concerning

**Transportation – Ignition Interlock ~~Devices~~ System – Definition**

FOR the purpose of altering the definition of "ignition interlock system" to require that an ignition interlock ~~device~~ system be equipped with a certain camera ~~capable of recording the image of the driver of the motor vehicle in which the device is installed~~; and generally relating to ignition interlock ~~devices~~ systems.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–902.2(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 260 – Senators Pinsky, Ferguson, King, and Young**

EMERGENCY BILL

AN ACT concerning

**Community Colleges – Maryland Community College Promise Scholarships – Revisions**

FOR the purpose of altering the eligibility requirements for a Maryland Community College Promise Scholarship; providing that certain eligible recipients remain eligible for the scholarship in a certain academic year notwithstanding certain eligibility criteria under certain circumstances; altering the employment requirements relating to a service obligation associated with a scholarship; authorizing a recipient to satisfy certain requirements relating to a service obligation associated with a scholarship under certain circumstances; authorizing a recipient to hold an award if the recipient continues to enroll in a certain sequence of courses or participate in a certain apprenticeship; altering the contents of a certain report; altering a certain definition; making this Act an emergency measure; and generally relating to Maryland Community College Promise Scholarships.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–3601(d), 18–3603(b), 18–3604(b) through (d), and 18–3607
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 287 – Senators Cassilly, Bailey, Carozza, Edwards, Gallion, Hough, Jennings, Ready, Reilly, Salling, and Simonaire**

AN ACT concerning

**Handgun Qualification License – Training Requirement – Exemption**

FOR the purpose of exempting a certain applicant for a handgun qualification license from a certain training requirement under certain circumstances; and generally relating to handgun qualification licenses.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–117.1(d)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–117.1(e)
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 305 – Senator Beidle**

AN ACT concerning

**Real Property – Homeowners Associations – Number of Declarant Votes**

FOR the purpose of altering the number of declarant votes before the date on which all lots that may be part of a development have been subdivided and recorded under certain circumstances; providing that a declarant is entitled to a certain number of votes beginning on the date on which all lots that may be part of a development have been subdivided and recorded under certain circumstances; and generally relating to declarant votes in homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11B–111.7
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 310 – Senators Hayes, Carter, Ferguson, McCray, and Washington**

AN ACT concerning

**Baltimore City – Unpackaged Cigarettes – Prohibition on Sale**

FOR the purpose of prohibiting a certain person from selling an unpackaged cigarette; authorizing an enforcement officer of the Tobacco Use Prevention and Cessation Program in the Baltimore City Health Department to enforce this Act in a certain manner; requiring an enforcement officer to report a violation of this Act to a State's Attorney; providing that issuance of a citation for violation of a certain provision of law precludes prosecution under this Act for a violation arising out of the same incident; providing for the application of this Act; defining a certain term; and generally relating to the sale of unpackaged cigarettes in Baltimore City.

BY adding to
Article – Business Regulation
Section 16–308.2
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 318 – Senators Feldman, Klausmeier, and Zucker**

AN ACT concerning

**Education – School Safety Subcabinet Advisory Board – Membership**

FOR the purpose of altering the membership of the School Safety Subcabinet Advisory Board; and generally relating to the School Safety Subcabinet Advisory Board.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–1504
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 327 – Senator Smith**

AN ACT concerning

**Justice Reinvestment Act – Diminution Credits – Sentencing**

FOR the purpose of clarifying that certain changes in certain provisions of law relating to the application of diminution credits shall be construed prospectively to apply to the portion of an inmate's sentence that is originally imposed, modified, or ordered to be served for a violation of probation on or after a certain date; providing for the construction of this Act; and generally relating to diminution credits.

BY repealing and reenacting, with amendments,
Chapter 515 of the Acts of the General Assembly of 2016
Section 14

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

**Senate Bill 334 – Senator Hough**

AN ACT concerning

**County Boards of Education – Appointment to Fill a Vacancy of an Elected Member – Candidate Information Requests**

FOR the purpose of requiring ~~a county board of education~~ a certain appointing authority, on request, to provide a list of the names of the candidates to fill a vacancy of an elected member of a county board of education in a certain manner; defining a certain term; and generally relating to candidate information requests regarding appointments to fill a vacancy of an elected member of a county board.

BY adding to
Article – Education
Section 4–135
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 394 – Senators Waldstreicher, Hough, Smith, ~~and West~~ West, Zirkin, Carter, Cassilly, Hester, Lee, Ready, and Washington**

AN ACT concerning

**Criminal Procedure – Expungement – Boating Offenses**

FOR the purpose of authorizing a person to file a petition for expungement of certain records based on a conviction for certain criminal boating offenses; making certain stylistic changes; and generally relating to expungement for certain criminal boating offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–110(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources

Section 8–725.3(a), 8–725.4(b)(1) and (3), 8–725.5(a), 8–725.6(a), 8–726(a), 8–726.1(b), 8–727.1(b), and 8–738.2(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 396 – Senators Elfreth, Augustine, Ellis, Feldman, Ferguson, Guzzone, Hester, Kagan, Lam, Lee, McCray, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker**

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings – Established**

FOR the purpose of establishing the Legal Representation Fund for Title IX Proceedings as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Maryland Higher Education Commission 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 include in the annual budget bill a certain minimum appropriation to the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term; and generally relating to the Legal Representation Fund for Title IX Proceedings.

BY adding to
Article – Education
Section 11–602
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)112. and 113.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)114.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 398 – The President (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

**Code Revision – Estates and Trusts**

FOR the purpose of revising, restating, and recodifying the laws of the State relating to estates and trusts; clarifying language; making certain technical and stylistic changes; providing for the construction of this Act; providing for the effect and construction of certain provisions of this Act; authorizing the publisher of the Annotated Code of Maryland to make certain corrections in a certain manner; and generally relating to Maryland law relating to estates and trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 1–101(b), (d), (f), (h), (i), (j), (k), (m), (q), (r), (s), (t), and (v), 1–103(e), 1–105(a), 1–202, 1–203, 1–206, 1–207, 1–208(b), 1–209(b), 1–210(b) and (c), 1–401, 2–102(a), 2–105(b), 2–106(a), (d), and (e), 2–107, 2–108(a)(3), (b), (c)(2), (d)(1)(ii) and (iii) and (2), (k), (l)(3), (m)(2), and (o) through (y), 2–202, 2–204, 2–205(e), 2–207, 2–208(b) through (k), 2–301(a) and (b), 2–302, 2–303(b) and (c), 3–101, 3–104, 3–106(a), 3–108, 3–109, 3–110, 3–203(b), 3–204, 3–205, 3–207(a), 3–208(b), 3–301(b), 3–302(a), 3–303, 4–101, 4–102, 4–104, 4–105, 4–201, 4–202, 4–401, 4–402, 4–405, 4–406, 4–409, 4–410, 5–102(b), 5–103, 5–105(c)(5), 5–106, 5–201, 5–204, 5–205(b) and (c), 5–207, 5–301, 5–302, 5–304, 5–401, 5–402, 5–403(a), 5–404(a), 5–502(a), 5–503(b) and (c), 5–504(a), 5–602, 5–603, 5–604(b) and (c), 6–101, 6–102(b), (d), (f), and (h)(1), 6–103, 6–105(a), 6–201, 6–203(b) and (c), 6–204, 6–302, 6–303, 6–304, 6–306(a), (c), and (e), 6–308, 6–401(a), 6–403, 6–404, 7–101, 7–102, 7–103, 7–103.1(a) and (c), 7–104(a), 7–105, 7–201, 7–203, 7–204, 7–205, 7–301, 7–306, 7–307, 7–401(a) through (x), (z), and (aa), 7–402, 7–403, 7–404, 7–501(b), 7–502(a), 7–601(a), (b), and (c), 7–602(a) and (b), 7–603, 8–103(a) through (e), 8–104(b), (c), and (d), 8–105(b), 8–106(d)(1) and (2), 8–107(a), (b), and (c), 8–108, 8–109(a), (b), (c), (d), (g), (h), and (i), 8–110, 8–111, 8–112(a), (b), and (d), 8–114, ~~9–102(b) and (e)~~ 9–102, 9–103(a) and (b), 9–104(b) and (c), 9–106(b) and (c), 9–107(a), 9–109(a), (b), (c), and (d), 9–111, 9–112(a), (c), (d), and (e), 9–201(b)(2), 9–202(a)(2) and (b)(2), 9–203(e), 9–204(a), 10–101, 10–102, 10–104, 11–101, 11–103(a), 11–105(b) and (c), 11–108(a) and (e), 12–102, 12–103, 13–101(g) and (k), 13–102, 13–106(b), 13–201, 13–203(a) and (b),

13–205, 13–206(c)(1), 13–207, 13–208(e), 13–211(b), 13–212, 13–214(b)(3), 13–215, 13–216, 13–217(a), 13–218(a), 13–219, 13–220, 13–221(a) and (b), 13–222, 13–302(a), 13–401(b), (c), and (d), 13–405, 13–406(b) and (e), 13–407, 13–501, 13–503, 13–701, 13–702(a)(2), 13–703, 13–705(b) and (e), 13–707(a)(10), (b), (c), and (d), 13–708(b), 13–709(a), (c)(5) and (7), (d), (e), (f)(1), and (i), 13–801, 13–802, 13–803, 13–804, 13–805, 13–806, 14–302(a), 14–304, 15–102(c) through (o), (q) through (w), and (y), 15–103, 15–104(a) and (b), 15–105, 15–108, 15–110, 15–111, 15–112(a) and (c), 15–202 through 15–208, 15–301(c), 15–302, 15–303(1), 15–304, 15–305, 15–502(b), 15–503, 15–504(a) and (b), 15–505(a), 15–506, 15–507(b), 15–509, 15–510(b), 15–512, 15–513(b), 15–514(a) and (d)(3), 15–516(b) and (c), 15–518(a), (b), and (d), 15–519(d), 15–521(c), 15–522(c), 15–523, 16–101(b), (i), and (j), 16–102, 16–103, 16–106, 16–107, 16–108(a) and (c), and 16–110(a)

Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 400** – **Senators Pinsky, Augustine, Elfreth, Ferguson, Griffith, Hayes, McCray, Washington, Young, ~~and Zucker~~ Zucker, Ellis, Lam, Nathan–Pulliam, Patterson, and Simonaire**

AN ACT concerning

**Maryland Higher Education Commission – Private Nonprofit Institutions of Higher Education – Regulation**
**(Private Nonprofit Institution of Higher Education Protection Act of 2019)**

FOR the purpose of requiring the Maryland Higher Education Commission to make certain determinations under certain circumstances; requiring the Commission, jointly with the Office of the Attorney General, to develop a certain procedure for determining and enforcing certain classifications of institutions of higher education; requiring the Commission to adopt certain regulations; defining certain terms; and generally relating to the regulation of private nonprofit institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Education
Section 10–101
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 11–407.1
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 425 – Senators Benson, Feldman, Guzzone, Klausmeier, Kramer, Lee, Nathan–Pulliam, Rosapepe, Simonaire, Washington, and Young**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program**

FOR the purpose of establishing the Critical Medical Needs Program in the Office of Home Energy Programs of the Family Investment Administration within the Department of Human Services; requiring the Office to implement and administer the Program; requiring the Office to partner with certain agencies and organizations in administering the Program; stating the purpose of the Program; specifying the function of the Program; specifying the duties of the Office in administering the Program; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the Critical Medical Needs Program.

BY renumbering
Article – Human Services
Section 5–5A–08
to be Section 5–5A–09
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 5–5A–01(a), (d), and (e), 5–5A–02, 5–5A–06, and 5–5A–07
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY adding to
Article – Human Services
Section 5–5A–08
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

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

**Senate Bill 432 – Senators Nathan–Pulliam, Carter, Ellis, Feldman, Guzzone, Kelley, Kramer, Lam, Lee, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Patterson**

AN ACT concerning

**Higher Education – Cyber Warrior Diversity Program – Revisions**

FOR the purpose of altering the locations of the Cyber Warrior Diversity Program in the State; requiring certain governing entities to use a certain curriculum and to award certain contracts or memoranda of understanding to certain businesses; requiring the Governor to include certain appropriations in the annual State operating budget to provide grants to certain entities and to hold a certain conference; specifying the amounts and uses of certain grants provided under the Program; altering the date by which certain governing entities must notify the Maryland Higher Education Commission regarding certain enrollment; requiring the Commission to allocate certain funds to certain entities on a certain basis; requiring a certain entity to hold a certain conference annually on or before a certain date; defining certain terms; and generally relating to the Cyber Warrior Diversity Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–1401, 11–1402, and 11–1405
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 11–1407
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing
Chapter 567 of the Acts of the General Assembly of 2018
Section 2

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

**Senate Bill 464 – Senators King, Ferguson, Guzzone, Kagan, Kramer, and Zucker**

AN ACT concerning

**School Bus Monitoring Cameras – Civil Penalty – Sunset Repeal**

FOR the purpose of repealing the termination date for a provision of law that increased the maximum civil penalty for a violation recorded by a school bus monitoring camera for failure to stop for a school vehicle operating alternately flashing red lights; and generally relating to civil penalties for violations recorded by school bus monitoring cameras.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–706 and 21–706.1(a)(6) and (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 744 of the Acts of the General Assembly of 2017
Section 3

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 499 – Senator Hayes**

AN ACT concerning

**Baltimore City – Baltimore Police Department – Percentage of Civilian Employees and Police Officers**

FOR the purpose of requiring the composition of the Baltimore Police Department to consist of certain percentages of civilian employees and police officers; requiring the Department to periodically report to certain persons regarding certain employment practices; and generally relating to the staffing of the Baltimore Police Department.

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–8(b)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

BY adding to
The Public Local Laws of Baltimore City
Section 16–8(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 Judiciary.

**Senate Bill 511 – Cecil County Senators**

AN ACT concerning

**Cecil County – Correctional Deputy Sheriffs – Collective Bargaining**

FOR the purpose of authorizing certain correctional deputy sheriffs in the Office of the Sheriff of Cecil County to take part in or refrain from taking part in forming, joining, supporting, or participating in a labor organization and certain activities relating to the labor organization for the purpose of engaging in collective bargaining with the Sheriff and the County Executive of Cecil County; authorizing a certain labor organization to engage in collective bargaining with the Sheriff and the County Executive on behalf of certain correctional deputy sheriffs; making technical and conforming changes; 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 collective bargaining and certain sworn correctional deputy sheriffs in the Office of the Sheriff of Cecil County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(i)(4)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–321(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)
(As enacted by Chapter ____ (S.B. 206) of the Acts of the General Assembly of 2019)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–321(h)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)
(As enacted by Chapter ____ (S.B. 206) of the Acts of the General Assembly of 2019)

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

**Senate Bill 521 – Senators Smith, Bailey, Cassilly, Eckardt, Ellis, Ferguson, Gallion, Griffith, Hayes, Hough, Jennings, King, Ready, Reilly, Salling, Serafini, Simonaire, ~~and West~~ West, Augustine, Beidle, Benson, Feldman, Hershey, Kelley, Klausmeier, and Kramer**

AN ACT concerning

**Veteran Suicide Prevention – Comprehensive Action Plan**

FOR the purpose of requiring the Maryland Department of Health to develop a certain action plan to increase access to and the availability of professional veteran health services to prevent veteran suicides that includes certain initiatives and reforms and a plan for implementation beginning on or before certain dates; requiring the plan to address certain matters; requiring the Department to collaborate with interested parties in developing the plan; requiring the Department to implement certain initiatives and reforms by certain dates; requiring the Department to 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 comprehensive action plan for veteran suicide prevention.

BY adding to

Article – Health – General
Section 13–3901 to be under the new subtitle "Subtitle 39. Veteran Suicide Prevention"
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 527 – Senator Smith**

AN ACT concerning

**Correctional Services – Inmates – Labor**

FOR the purpose of requiring the Commissioner of Correction to include in a certain report certain statistics related to inmate employment and wages at certain facilities; requiring the Division of Correction to include in a certain report regarding Maryland Correctional Enterprises certain statistics regarding inmate employment and wages; and generally relating to inmates.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–207 and 3–509
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 743 – Senators Pinsky, Kagan, King, Lam, Lee, Rosapepe, West, Young, and Zucker**

AN ACT concerning

**Election Law – Election Service Providers – Contract Clauses and Termination of Contract**

FOR the purpose of prohibiting the State Board of Elections from approving a contract with an election service provider unless the contract includes a certain clause regarding notice of ownership of or investment in the election service provider or control of the election service provider by a foreign national; requiring that the notice include certain information; authorizing the State Administrator of Elections to terminate, in whole or in part, the contract with an election service provider on the making of a certain determination; defining certain terms; and generally relating to election service provider contracts.

BY adding to
Article – Election Law

Section 2–109
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 842 – Senator Carter**

AN ACT concerning

**Criminal Law – Gaming – Civil Offense**

FOR the purpose of altering the penalty for certain conduct relating to betting, wagering, or gambling; making certain conduct relating to betting, wagering, or gambling a civil offense; establishing that adjudication of a violation under a certain provision of this Act is not a criminal conviction for any purpose and does not impose any of the civil disabilities that may result from a criminal conviction; altering certain penalties; authorizing a certain police officer to issue a certain citation under certain circumstances; establishing certain requirements for a citation issued under this Act; requiring the form of a certain citation to be uniform throughout the State and to be prescribed by the District Court; requiring the Chief Judge of the District Court to establish a schedule for the prepayment of a certain fine; requiring a certain issuing jurisdiction to forward a copy of a certain citation and request for trial to a certain court; providing that a person may request a trial in a certain manner within a certain time period after the issuance of a citation; providing that the District Court may impose a certain fine and costs and find a person guilty of a certain violation under certain circumstances; providing that a certain defendant is liable for certain costs of a certain proceeding; specifying the costs of a certain proceeding; providing that the State has the burden to prove the guilt of a certain defendant by a certain standard; requiring a court to apply certain evidentiary standards; requiring a court to ensure that a certain defendant has received a copy of certain charges and that the defendant understands those charges; providing that a certain defendant is entitled to take certain actions under certain circumstances; providing that a certain defendant is entitled to be represented by a certain counsel at the expense of the defendant; authorizing a certain defendant to enter a certain plea; specifying a certain verdict; authorizing a certain State's Attorney to prosecute a certain Code violation in a certain manner; providing that a certain person under a certain age who is issued a citation for a certain violation is subject to certain procedures and dispositions; making certain conforming changes; and generally relating to gaming.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–102 and 12–103
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 858 – Senator Zirkin**

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission – Academic Research – Medical Uses and Properties of Cannabis**

FOR the purpose of authorizing an institution of higher education or a ~~related medical facility~~ certain facility or firm to file with the Natalie M. LaPrade Medical Cannabis Commission a registration to purchase medical cannabis for the purpose of conducting a certain research project; requiring that a certain registration include certain information; providing that a certain registration is valid until the Commission receives certain notification; authorizing an academic research representative to purchase medical cannabis from a licensed dispensary for a certain purpose; providing that an academic research representative may not be penalized or arrested under State law for certain actions under certain circumstances; authorizing the ~~Maryland Department of Health~~ Commission to adopt certain regulations; adding academic research representatives to the individuals toward whom a dispensary, dispensary agent, processor, or processor agent may take certain actions related to the use of cannabis and certain products, supplies, and materials by certain individuals and not be penalized or arrested under State law; adding academic research representatives to the persons that may not be subject to arrest, prosecution, or certain penalties or be denied any right or privilege for the medical use of or possession of medical cannabis; adding academic research representatives to the persons from whom a person may not distribute, possess, manufacture, or use cannabis that has been diverted; making conforming changes; defining a certain term; and generally relating to dispensing and purchasing medical cannabis for academic research.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3301, 13–3306(b) and (c), 13–3307, 13–3309(e), and 13–3313
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 13–3304.1
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

## QUORUM CALL

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

(See Roll Call No. 338)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 30

**House Bill 402 – Delegate Atterbeary**

AN ACT concerning

**Family Law – Grounds for Divorce**

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

Affirmative – 112 Negative – 23 (See Roll Call No. 339)

The Bill was then sent to the Senate.

**House Bill 404 – ~~Delegate R. Lewis~~ Delegates R. Lewis, Bagnall, Bhandari, and Hill**

SECOND PRINTING

AN ACT concerning

**State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements**

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

Affirmative – 127 Negative – 7 (See Roll Call No. 340)

The Bill was then sent to the Senate.

**House Bill 420 – Delegate Sydnor**

EMERGENCY BILL

AN ACT concerning

**Criminal Law – Threat of Mass Violence**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 341)

The Bill was then sent to the Senate.

**House Bill 481** – **Delegates Mosby, Shoemaker, Acevero, Adams, Anderton, Arentz, Arikan, Attar, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boteler, Boyce, Branch, Bridges, Bromwell, Brooks, Buckel, Cain, Cardin, Carr, Cassilly, Charkoudian, Charles, Clark, Conaway, Corderman, Cox, Crosby, Crutchfield, Cullison, D.E. Davis, Ebersole, Feldmark, Fennell, M. Fisher, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Guyton, Hartman, Haynes, Hettleman, Hill, Holmes, Hornberger, Impallaria, Ivey, Jackson, Jacobs, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Long, Lopez, Love, Luedtke, Mangione, Mautz, McComas, McIntosh, McKay, Metzgar, Miller, Moon, Morgan, Otto, Palakovich Carr, Parrott, Patterson, Pena–Melnyk, Pendergrass, Pippy, Proctor, Qi, Queen, Reilly, Rose, Rosenberg, Saab, Sample–Hughes, Shetty, Smith, Solomon, Stewart, Sydnor, Szeliga, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wells, Wilkins, Wilson, Wivell, K. Young, and P. Young**

AN ACT concerning

**Criminal Law – Sale of a Minor – Felony**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 342)

The Bill was then sent to the Senate.

**House Bill 554** – **Delegate Malone**

AN ACT concerning

**Criminal Procedure – Forfeiture Proceedings – Notice**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 343)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING SENATE BILLS NO. 2

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Government – Consumer Price Index – Revised Statutory References**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 344)

The Bill was then returned to the Senate.

**Senate Bill 112 – The President**

AN ACT concerning

**Mandated Reports and Statutory Commissions, Councils, and Committees – Revisions**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 345)

The Bill was then returned to the Senate.

**Senate Bill 579 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Curative Bill**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 346)

The Bill was then returned to the Senate.

**Senate Bill 580 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 347)

The Bill was then returned to the Senate.

**SPECIAL ORDER CALENDAR NO. 12**

**House Bill 109 – Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser–Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, and K. Young**

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – Prohibition**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0109/223927/1**
BY: Delegate Corderman

AMENDMENTS TO HOUSE BILL 109
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "manner;" insert "requiring the Department to conduct a public education and outreach antilittering campaign;".

AMENDMENT NO. 2

On page 4, after line 25, insert:

"**(C) THE DEPARTMENT SHALL CONDUCT A PUBLIC EDUCATION AND OUTREACH ANTILITTERING CAMPAIGN.**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**HB0109/843021/1**
BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 109, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike in its entirety line 2 and substitute "Polystyrene – County Single–Stream Recycling Programs and Corporate Income Tax Credit for Recycling Equipment"; in line 3, after the first "of" insert "requiring a county to address the implementation of a certain single–stream recycling program in a certain recycling plan; requiring each county to implement a single–stream recycling program that includes certain expanded polystyrene products; allowing a credit against the State income tax for certain expenses incurred during the taxable year by a corporation; providing that the credit may not exceed a certain amount; providing for the carryforward of the credit;"; strike beginning with "establishing" in line 3 down through "regulations;" in line 17; in line 17, after "terms;" insert "providing for the application of certain provisions of this Act;"; in lines 17 and 18, strike "expanded polystyrene food service products" and substitute "county recycling programs, corporate income tax credits, and the recycling of expanded polystyrene"; after line 18, insert:

"BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1703(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1703(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)";

strike beginning with "9–2201" in line 21 down through "Polystyrene"" in line 22 and substitute "9–1714"; and after line 24, insert:

"BY adding to
Article – Tax – General
Section 10–749
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

Strike the Environment and Transportation Committee Amendments (HB0109/120017/2) in their entirety.

On page 2 of the bill, strike in their entirety lines 4 through 7, inclusive, and substitute:

"9–1703.

(a) Each county shall submit a recycling plan to the Secretary for approval when the county submits its county plan to the Secretary in accordance with the provisions of § 9–505 of this title.

(b) In preparing the recycling plan as required in § 9–505 of this title, the county shall address:

(1) Methods to meet the solid waste stream reduction;

(2) The feasibility of source separation of the solid waste stream generated within the county;

(3) The recyclable materials to be separated;

(4) The strategy for the collection, processing, marketing, and disposition of recyclable materials, including the cost–effective use of recycling centers;

(5) Methods of financing the recycling efforts proposed by the county;

(6) Methods for the separate collection and composting of yard waste;

(7) The feasibility of a system for the composting of mixed solid wastes;

(8) The feasibility of a system for the collection and recycling of white goods;

(9) The separate collection of other recyclable materials;

(10) The strategy for the collection, processing, marketing, and disposition of recyclable materials from county public schools;

(11) The strategy for the collection and recycling of fluorescent and compact fluorescent lights that contain mercury;

(12) The collection and recycling of recyclable materials from residents of apartment buildings and condominiums that contain 10 or more dwelling units by property owners or managers of apartment buildings and councils of unit owners of condominiums;

(13) If applicable, a method for implementing a reporting requirement for recyclable materials generated at apartment buildings and condominiums that contain 10 or more dwelling units;

(14) The collection and recycling of recyclable materials from special events; **[**and**]**

**(15) THE IMPLEMENTATION OF A SINGLE–STREAM RECYCLING PROGRAM IN WHICH ALL RECYCLABLE MATERIALS ARE COMMINGLED FOR COLLECTION INTO A SINGLE CONTAINER INSTEAD OF BEING SORTED INTO SEPARATE COMMODITIES AND MULTIPLE CONTAINERS; AND**

**[**(15)**] (16)** Any other alternative methods of recycling that will attain or exceed the solid waste stream reduction goals determined by the county.

**9–1714.**";

in line 8, strike "**(B) "EXPANDED**" and substitute "**(A) IN THIS SECTION, "EXPANDED**"; and after line 13, insert:

"**(B) EACH COUNTY SHALL IMPLEMENT A SINGLE–STREAM RECYCLING PROGRAM THAT INCLUDES EXPANDED POLYSTYRENE PRODUCTS.**

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

**10–749.**

**(A) IN THIS SECTION, "QUALIFIED EXPENSES" MEANS EXPENSES INCURRED TO PURCHASE DENSIFIERS AND OTHER EQUIPMENT USED IN THE RECYCLING OF EXPANDED POLYSTYRENE.**

**(B) A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR UP TO $25,000 OF THE QUALIFIED EXPENSES INCURRED BY THE CORPORATION DURING THE TAXABLE YEAR.**

**(C) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE CORPORATION FOR THAT TAXABLE YEAR, THE CORPORATION MAY APPLY THE EXCESS AS A CREDIT FOR SUCCEEDING TAXABLE YEARS UNTIL:**

**(1) THE FULL AMOUNT OF THE EXCESS IS USED; OR**

**(2) THE EXPIRATION OF THE 5TH TAXABLE YEAR AFTER THE TAXABLE YEAR IN WHICH THE QUALIFIED EXPENSES WERE PAID OR INCURRED.**

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2018.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.".

On pages 2 through 5 of the bill, strike in their entirety the lines beginning with line 14 on page 2 through line 22 on page 5, inclusive.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 38 Negative – 95 (See Roll Call No. 348)

FLOOR AMENDMENT

**HB0109/713727/1**
BY: Delegate Shoemaker

AMENDMENT TO HOUSE BILL 109, AS AMENDED
(First Reading File Bill)

On page 2 of the bill, in line 19, after "**PLATES;**" insert "**AND**"; in line 20, strike the semicolon and substitute a period; and strike in their entirety lines 21 and 22.

On page 1 of the Environment and Transportation Committee Amendments (HB0109/120017/2), in line 8 of Amendment No. 2, strike "**TRAYS**"; and in line 9, strike "**CARTONS FOR EGGS OR OTHER FOOD**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 93 (See Roll Call No. 349)

FLOOR AMENDMENT

**HB0109/723020/1**
BY: Delegate Cardin

AMENDMENT TO HOUSE BILL 109
(First Reading File Bill)

On page 1, in the sponsor line, strike "and K. Young" and substitute "K. Young, and Cardin".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**HB0109/333424/2**
BY: Delegate Reilly

AMENDMENTS TO HOUSE BILL 109, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0109/120017/2), in line 3 of Amendment No. 1, after "storing" insert "or selling".

AMENDMENT NO. 2

On page 2 of the Environment and Transportation Committee Amendments, in line 4 of Amendment No. 3, after "**STORING**" insert "**OR SELLING**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 88 (See Roll Call No. 350)

FLOOR AMENDMENT

**HB0109/103020/1**
BY: Delegate Arikan

AMENDMENTS TO HOUSE BILL 109, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0109/120017/2), in line 4 of Amendment No. 1, after "State;" insert "exempting a certain person from certain prohibitions;".

AMENDMENT NO. 2

On page 2 of the Environment and Transportation Committee Amendments, in line 5 of Amendment No. 3, after "**STATE.**" insert:

"**(D) THE PROHIBITIONS IN THIS SECTION DO NOT APPLY TO A PERSON WHO OWNS OR OPERATES A SMALL FARM AND REUSES OR RECYCLES A PRODUCT MADE OF EXPANDED POLYSTYRENE TO PACKAGE AND SELL EGGS ON THE FARM OR AT A FARM STAND, FARMERS MARKET, OR POULTRY SWAP.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 90 (See Roll Call No. 351)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 13

**House Bill 838 – Delegates Valentino–Smith, Acevero, Hettleman, Krimm, Lierman, Solomon, Terrasa, and P. Young**

AN ACT concerning

**Food Supplement Program – Restaurant Meals Program**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 99 Negative – 37 (See Roll Call No. 352)

The Bill was then sent to the Senate.

## WAYS AND MEANS COMMITTEE REPORT NO. 5

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 20 – Delegate Luedtke**

AN ACT concerning

**State Agricultural Land Transfer Tax – Nonagricultural Use Exemption – Repeal**

**HB0020/315066/1**
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 20
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Nonagricultural" in line 2 down through "Repeal" in line 3 and substitute "Alteration of Nonagricultural Use Reduction and Exemptions"; strike beginning with "repealing" in line 4 down through "tax" in line 7 and substitute "altering the method of calculating a certain reduction in the State agricultural land

transfer tax for an instrument of writing that transfers title to agricultural land on which property tax was paid on the basis of an assessment other than farm or agricultural use in certain years before the transfer; repealing an exemption from the State agricultural land transfer tax for an instrument of writing that transfers title to agricultural land on which property tax was paid on the basis of an assessment other than farm or agricultural use for a certain number of years before the transfer; exempting an instrument of writing from the agricultural land transfer tax if the instrument of writing transfers title to agricultural land that was previously transferred by an instrument of writing that was subject to the agricultural land transfer tax; and generally relating to the nonagricultural use reduction to the State agricultural land transfer tax and exemptions from the State agricultural land transfer tax"; after line 7, insert:

"BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–301(a) and (b) and 13–302(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)";

and in line 10, strike "13–303(c)" and substitute "13–303".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 16 through 21, inclusive, and substitute:

"13–301.

(a) In this subtitle the following words have the meanings indicated.

(b) "Agricultural land" means real property that is or was assessed on the basis of farm or agricultural use under § 8–209 of this article.

13–302.

(a) Except as otherwise provided in § 13–305 of this subtitle, agricultural land transfer tax is imposed on an instrument of writing that transfers title to agricultural land.

(b) Agricultural land transfer tax is payable in addition to any other transfer tax imposed under this title.

13–303.

(a) The agricultural land transfer tax applies at the following rates:

(1) for a transfer of 20 acres or more of agricultural land, 5%;

(2) except as provided in item (3) of this subsection, for a transfer of less than 20 acres of agricultural land assessed for agricultural use or as unimproved agricultural land, 4%; or

(3) for a transfer of less than 20 acres of agricultural land assessed as improved agricultural land or agricultural land with site improvements, 3%.

(b) If an instrument of writing is subject to different rates of agricultural land transfer tax under subsection (a) of this section, the total agricultural land transfer tax due is computed separately for each portion of agricultural land to which a different rate applies.

(c) Except as provided by § **[**13–305(c)(2)**]** **13–305(B)(2) OR (C)(4)** of this subtitle, the agricultural land transfer tax determined under subsection (a) or subsection (b) of this section is reduced by**:**

**(1)** 25% **[**for each consecutive full taxable year before a transfer in which**]** **IF** property tax on the agricultural land was paid on the basis of any assessment other than the farm or agricultural use assessment under § 8–209 of this article **FOR 1 FULL TAXABLE YEAR BEFORE A TRANSFER;**

**(2) 50% IF PROPERTY TAX ON THE AGRICULTURAL LAND WAS PAID ON THE BASIS OF ANY ASSESSMENT OTHER THAN THE FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 8–209 OF THIS ARTICLE FOR 2 FULL CONSECUTIVE TAXABLE YEARS BEFORE A TRANSFER; AND**

**(3) 65% IF PROPERTY TAX ON THE AGRICULTURAL LAND WAS PAID ON THE BASIS OF ANY ASSESSMENT OTHER THAN THE FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 8–209 OF THIS ARTICLE FOR 3 OR MORE FULL CONSECUTIVE TAXABLE YEARS BEFORE A TRANSFER**.

(d) (1) Except as provided in paragraph (2) of this subsection, in addition to the agricultural land transfer tax, a surcharge in an amount equal to 25% of the tax

determined under subsections (a) through (c) of this section is imposed on an instrument of writing that transfers title to agricultural land.

(2) The surcharge imposed under paragraph (1) of this subsection does not apply to an instrument of writing that transfers property of 2 acres or less to be improved to a child or grandchild of the owner.

(e) When determining the rate of the agricultural land transfer tax to be imposed under subsection (a) or (b) of this section, the amount of agricultural land transferred that is exempt from the tax in accordance with § 13–305 of this subtitle may not be included in the amount of agricultural land that is transferred.".

AMENDMENT NO. 3

On page 5, after line 10, insert:

"**(H) THE AGRICULTURAL LAND TRANSFER TAX DOES NOT APPLY TO AN INSTRUMENT OF WRITING THAT TRANSFERS TITLE TO AGRICULTURAL LAND THAT WAS PREVIOUSLY TRANSFERRED BY AN INSTRUMENT OF WRITING THAT WAS SUBJECT TO THE AGRICULTURAL LAND TRANSFER TAX.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 79 – Delegate Luedtke**

AN ACT concerning

**Election Law – Early Voting Centers – Establishment and Hours**

**HB0079/225068/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 79

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Hours"; and strike beginning with "increasing" in line 3 down through "counties;" in line 6 and substitute "authorizing all counties, rather than only counties with fewer than a certain number of registered voters to establish one early voting center in addition to the number of early voting centers the county is required to establish if the State Board of Elections, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional early voting center;".

AMENDMENT NO. 2

On page 2, in lines 1, 3, 6, 7, 9, 10, 12, 13, 20, and 32, in each instance, strike the bracket; in line 1, strike "**100,000**"; in line 3, strike "**AT LEAST 100,000**"; in line 6, strike "**AT LEAST**"; in line 7, strike "**FIVE**"; in line 9, strike "**AT LEAST**"; in line 10, strike "**400,000**"; strike beginning with "**AT**" in line 12 down through "**500,000**" in line 13; in line 13, strike "**NINE**"; strike in their entirety lines 15 through 19, inclusive; in line 20, strike "**(9)**"; in line 21, strike "with fewer than 200,000 registered voters"; strike in their entirety lines 27 through 31, inclusive; and in line 32, strike "**(E)**".

On page 3, in lines 3, 7, 9, 15, and 17, in each instance, strike the bracket; and in lines 7, 9, 15, and 17, strike "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 172 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

AN ACT concerning

**Election Law – Voter Registration Deadlines and Security of Voter Registration Information**

**HB0172/595068/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 10 down through "conviction;" in line 13 and substitute "authorizing the State Board to impose a civil penalty not exceeding a certain amount on a person who fails to report a breach in the secure storage of voter registration information in accordance with a certain provision of this Act; requiring that the civil penalty be assessed in a certain manner and distributed to the Fair Campaign Financing Fund;".

AMENDMENT NO. 2

On page 4, strike in their entirety lines 1 through 5, inclusive, and substitute:

"**(2) (I) THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING $5,000 ON A PERSON WHO FAILS TO REPORT A BREACH IN THE SECURE STORAGE OF VOTER REGISTRATION INFORMATION IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION.**

**(II) A CIVIL PENALTY UNDER THIS PARAGRAPH SHALL BE:**

**1. ASSESSED IN THE MANNER SPECIFIED IN § 13–604.1 OF THIS ARTICLE; AND**

**2. DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15–103 OF THIS ARTICLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 195 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County Board of Education – Financial Literacy Curriculum – Graduation Requirement**

**PG 504–19**

**HB0195/435461/1**
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 195
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Curriculum" in line 2 down through "Requirement" in line 3 and substitute "Pilot Program Course"; strike beginning with "requiring" in line 5 down through the period in line 12 and substitute "requiring the Prince George's County Board of Education to develop and implement a certain pilot program that includes an elective course on financial literacy as a part of the county board's high school curriculum; requiring the county board to develop the curriculum content for a certain course in financial literacy as a part of the pilot program; requiring the county board to select a certain number of high schools in the county to participate in the pilot program; requiring the county board to submit a certain report to the Prince George's County Senate and House Delegations on or before a certain date each year; providing for a delayed effective date; providing for the termination of this Act; and generally relating to a pilot program course in financial literacy in Prince George's County."; strike line 13 in its entirety and substitute "BY adding to"; and in line 15, strike "3–1008" and substitute "3–1008.1".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 22 on page 2, inclusive, and substitute:

"**3–1008.1.**

**(A) BEGINNING IN THE 2020–2021 SCHOOL YEAR, THE COUNTY BOARD SHALL DEVELOP AND IMPLEMENT A PILOT PROGRAM THAT INCLUDES A SEMESTER–LONG ELECTIVE COURSE IN FINANCIAL LITERACY AS A PART OF THE COUNTY BOARD'S HIGH SCHOOL CURRICULUM.**

**(B) THE COUNTY BOARD SHALL DEVELOP CURRICULUM CONTENT FOR THE COURSE IN FINANCIAL LITERACY.**

**(C) THE COUNTY BOARD SHALL SELECT AT LEAST ONE HIGH SCHOOL IN THE COUNTY TO PARTICIPATE IN THE PILOT PROGRAM.**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 30 each year, the Prince George's County Board of Education shall submit a report, in accordance with § 2–1246 of the State Government Article, to the Prince George's County Senate and House Delegations on the success of the pilot program developed and implemented under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect July 1, 2020. It shall remain effective for a period of 3 years and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 238 – Delegates Atterbeary, Ebersole, Hill, Miller, Pendergrass, Shetty, and Terrasa**

AN ACT concerning

**Education – Removal of County Superintendents – Procedures**

**HB0238/695364/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 238
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "requiring the State Superintendent of Schools to provide a county superintendent of schools with certain information if the State Superintendent intends to remove the county superintendent;"; strike beginning with "file" in line 3 down through the second "of" in line 4 and substitute "remove"; in line 5, strike "of

schools" and substitute "in a certain manner"; strike beginning with "specifying" in line 5 down through "circumstances;" in line 13 and substitute "authorizing the county superintendent to appeal a certain decision to the State Board of Education or an arbitrator;"; and strike beginning with "authorizing" in line 15 down through "Education;" in line 17.

AMENDMENT NO. 2

On page 2, in line 31, after "Superintendent" insert "**OR A COUNTY BOARD**".

On page 3, strike in their entirety lines 5 through 20, inclusive; in line 21, strike the brackets; strike beginning with "**(3)**" in line 21 down through "**SUBSECTION**" in line 27 and substitute "**THE STATE SUPERINTENDENT MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE STATE SUPERINTENDENT PROVIDES THE COUNTY SUPERINTENDENT WITH:**

**(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;**

**(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL; AND**

**(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE STATE SUPERINTENDENT IN ACCORDANCE WITH THIS SUBSECTION**";

in line 28, strike the brackets; in the same line, strike "**(4)**"; in line 29, strike the brackets; and in the same line, strike "**30–DAY**".

On page 4, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through "**11**" in line 3; strike beginning with the semicolon in line 4 down through "**BOARD**" in line 7; after line 10, insert:

"**(4) A COUNTY BOARD MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE COUNTY BOARD PROVIDES THE COUNTY SUPERINTENDENT WITH:**

**(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;**

**(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL; AND**

**(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE COUNTY BOARD IN ACCORDANCE WITH THIS SUBSECTION.**

**(5) IF A COUNTY SUPERINTENDENT REQUESTS A HEARING BEFORE THE COUNTY BOARD WITHIN THE 10–DAY PERIOD:**

**(I) THE COUNTY BOARD PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE COUNTY BOARD SENDS THE COUNTY SUPERINTENDENT A NOTICE OF THE HEARING; AND**

**(II) THE COUNTY SUPERINTENDENT SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE COUNTY BOARD IN THE COUNTY SUPERINTENDENT'S OWN DEFENSE, IN PERSON OR BY COUNSEL.**

**(6) THE COUNTY SUPERINTENDENT MAY APPEAL FROM THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO:**

**(I) THE STATE BOARD; OR**

**(II) AN ARBITRATOR IN ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION.**";

in line 11, strike "**(5)**" and substitute "**(7)**"; strike beginning with "**REQUESTS**" in line 11 down through "**HEARING**" in line 12 and substitute "**APPEALS FROM THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO AN ARBITRATOR, THE HEARING BEFORE THE ARBITRATOR**"; and in line 21, after "**THE**" insert "**STATE SUPERINTENDENT OR**".

On page 4 in lines 16, 19, and 30, and on page 5 in lines 4, 9, and 14, in each instance, after "**SUPERINTENDENT**" insert "**OR COUNTY BOARD**".

On page 5, in line 15, after "**STATE**" insert "**SUPERINTENDENT OR COUNTY BOARD**"; in line 20, strike "**AN INDIVIDUAL**" and substitute "**A PARTY**"; and strike in their entirety lines 23 through 26, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 243 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Property Tax Credit – Cumberland Economic Development Corporation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 252 – Delegates Washington, Acevero, Barron, D.M. Davis, Fennell, W. Fisher, Ivey, Jackson, Moon, Mosby, Queen, and Wilkins**

AN ACT concerning

**Election Law – Eligible Detainees – Information on Voting Rights**

**HB0252/395468/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 252
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Eligible Detainees – Information on Voting Rights" and substitute "Correctional Facilities – Voting Coordinators"; and strike beginning with

"requiring" in line 3 down through "vote" in line 13 and substitute "requiring each correctional facility to designate an employee to act as the correctional facility's voting coordinator; requiring the voting coordinator to facilitate voter registration and voting by eligible detainees; requiring the voting coordinator to be responsible for informing eligible detainees of certain information, the dissemination of certain information and applications to eligible detainees, and the certain transmission of certain applications and ballots between eligible detainees at correctional facilities and the local boards of elections; prohibiting a voting coordinator from taking certain actions; requiring each voting coordinator to complete an annual training program conducted by the State Board of Elections concerning the responsibilities of the voting coordinator; defining certain terms; and generally relating to correctional facilities and voting coordinators".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 1 on page 3, inclusive, and substitute:

"**(B) EACH CORRECTIONAL FACILITY SHALL DESIGNATE AN EMPLOYEE TO ACT AS THE CORRECTIONAL FACILITY'S VOTING COORDINATOR.**

**(C) THE VOTING COORDINATOR SHALL FACILITATE VOTER REGISTRATION AND VOTING BY ELIGIBLE DETAINEES.**

**(D) THE VOTING COORDINATOR SHALL BE RESPONSIBLE FOR:**

**(1) INFORMING ELIGIBLE DETAINEES OF UPCOMING ELECTIONS AND HOW THE ELIGIBLE DETAINEES MAY EXERCISE THE RIGHT TO VOTE;**

**(2) THE DISSEMINATION TO ELIGIBLE DETAINEES OF INFORMATION ON ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND VOTER REGISTRATION APPLICATIONS;**

**(3) THE DISSEMINATION TO ELIGIBLE DETAINEES OF INFORMATION ON ABSENTEE VOTING AND ABSENTEE BALLOT APPLICATIONS; AND**

**(4) THE EFFICIENT TRANSMISSION OF VOTER REGISTRATION APPLICATIONS, ABSENTEE BALLOT APPLICATIONS, AND ABSENTEE BALLOTS**

**BETWEEN ELIGIBLE DETAINEES AT THE CORRECTIONAL FACILITY AND THE LOCAL BOARDS.**

**(E) A VOTING COORDINATOR MAY NOT:**

**(1) SEEK TO INFLUENCE AN ELIGIBLE DETAINEE'S POLITICAL PREFERENCE OR PARTY REGISTRATION;**

**(2) DISPLAY ANY POLITICAL PREFERENCE OR PARTY ALLEGIANCE; OR**

**(3) MAKE ANY STATEMENT TO AN ELIGIBLE DETAINEE OR TAKE ANY ACTION THE PURPOSE OR EFFECT OF WHICH IS TO LEAD AN ELIGIBLE DETAINEE TO BELIEVE THAT A DECISION WHETHER OR NOT TO REGISTER, VOTE, OR SUPPORT OR OPPOSE ANY CANDIDATE OR QUESTION ON THE BALLOT HAS ANY EFFECT ON THE ELIGIBLE DETAINEE'S TREATMENT BY THE CORRECTIONAL FACILITY.**

**(F) EACH VOTING COORDINATOR SHALL COMPLETE AN ANNUAL TRAINING PROGRAM CONDUCTED BY THE STATE BOARD CONCERNING THE RESPONSIBILITIES OF THE VOTING COORDINATOR UNDER THIS SECTION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate M. Fisher moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 330 – Delegates Miller, Atterbeary, Cox, Ebersole, Feldmark, Fennell, Hill, Kittleman, Luedtke, Pendergrass, Rose, Shoemaker, Terrasa, Washington, and C. Watson**

AN ACT concerning

**Education – County Boards of Education – County Superintendent Contracts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 387 – Delegates Hornberger, Buckel, Cassilly, Cox, Kittleman, McComas, Metzgar, Miller, and Shoemaker**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Transportation Authority Police**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 432 – Delegates Dumais, Fraser–Hidalgo, and Qi**

AN ACT concerning

**Property Tax – Exemptions – Nonprofit Charitable Museums**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 513 – Delegates Ghrist, Arentz, Jacobs, and Mautz**

AN ACT concerning

**County Boards of Education – Establishing Regional Career and Technical Education Schools – Authority and Funding**

**HB0513/985868/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 513

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Mautz" and substitute "Mautz, and Rose"; in line 2, strike "Technical" and substitute "Technology"; in line 3, strike "and Funding"; in line 5, strike "Technical" and substitute "Technology"; strike beginning with "requiring" in line 6 down through "circumstance;" in line 10; and in line 11, after the first semicolon insert "requiring a regional CTE school to operate under the terms of a certain collective bargaining agreement; requiring the Interagency Commission on School Construction to study and develop a certain cost–share formula for certain county boards of education; requiring the Commission to submit a report with its findings and recommendations to the Governor and the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 7, inclusive; in lines 8, 11, and 14, strike "**(4)**", "**(5)**", and "**(6)**", respectively, and substitute "**(2)**", "**(3)**", and "**(4)**", respectively; in line 12, strike "**TECHNICAL**" and substitute "**TECHNOLOGY**"; in line 16, strike "**THE**" and substitute "**TWO OR MORE**"; in line 19, strike "**ALL**" and substitute "**AT LEAST TWO**"; in the same line, after "**COUNTIES**" insert "**, THE GOVERNING BODIES OF THOSE REGIONAL COUNTIES,**"; in line 22, strike "**EACH COUNTY BOARD**" and substitute "**PARTICIPATING COUNTY BOARDS**"; in the same line, after "**COUNTIES**" insert "**, THE GOVERNING BODIES OF THOSE REGIONAL COUNTIES,**"; and strike beginning with "**(1)**" in line 27 down through "**(2)**" in line 32.

On page 3, strike beginning with "**IF**" in line 4 down through "**(E)**" in line 16; after line 18, insert:

"**(2) A REGIONAL CTE SCHOOL SHALL OPERATE UNDER THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY BOARD AND THE EXCLUSIVE BARGAINING REPRESENTATIVE THAT IS IN EFFECT IN THE COUNTY WHERE THE SCHOOL IS LOCATED.**";

and in line 19, after "That" insert ":

(a) The Interagency Commission on School Construction shall study and develop a State and local cost–share formula for county boards of education that choose to collaborate and operate a regional school involving one or more county boards.

(b) On or before January 1, 2020, the Interagency Commission on School Construction shall submit a report with its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 590 – Howard County Delegation**

AN ACT concerning

**Howard County Board of Education – Election of Members**

**Ho. Co. 01–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 684 – Delegates Wilson and Patterson**

AN ACT concerning

**Income Tax Checkoff – Maryland Veterans Trust Fund**

**HB0684/315669/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 684
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Patterson" and substitute ", Patterson, Kaiser, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Howard, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Reilly, Rose, Shoemaker, Turner, Walker, Washington, and Wilkins".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 830 – Delegate Washington**

AN ACT concerning

**Public Campaign Financing – Late Fees, Civil Penalties, and Administration**

**HB0830/395160/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 830
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Public" insert "County"; in the same line, strike "Late Fees, Civil Penalties, and"; strike beginning with "providing" in line 3 down through "liable;" in line 7; in line 11, after "to" insert "county"; in line 14, strike "13–331,"; in the same line, strike ", and 13–604.1(f)"; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 through line 27 on page 2, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 6 on page 4 through line 21 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 844 – Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, and Walker**

AN ACT concerning

**Public Schools – School Psychologists – Reports**

**HB0844/695069/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 844
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, and Washington".

AMENDMENT NO. 2

On page 1, in lines 18, 22, and 24, in each instance, strike "750" and substitute "700"; in line 18, strike "less" and substitute "fewer"; and in lines 19 and 23, in each instance, strike "no" and substitute "not".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 878 – Delegates Kaiser, Barve, Cain, Ebersole, Feldmark, Gaines, Haynes, Krebs, Mosby, and K. Young**

AN ACT concerning

**Election Law – Campaign Finance Reports – Late Fees and Certificates of Nomination**

**HB0878/695267/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 878
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "if" insert ", on or before a certain date,"; in line 9, after "fee;" insert "requiring the State Board of Elections to send a certain notice by a certain date to certain candidates;".

AMENDMENT NO. 2

On page 2, in line 27, strike "**$1,500**" and substitute "**$1,000**".

AMENDMENT NO. 3

On page 3, in line 10, strike "**AN**" and substitute "**A**"; in lines 10, 11, and 14, in each instance, strike "**INDIVIDUAL**" and substitute "**CANDIDATE**"; in line 11, after "**IF**" insert "**, ON OR BEFORE THE DEADLINE FOR DECLINING THE NOMINATION SPECIFIED UNDER § 5–801(B) OF THIS ARTICLE,**"; after line 16, insert:

"**(B) NOT LATER THAN 20 DAYS BEFORE THE DEADLINE FOR DECLINING THE NOMINATION SPECIFIED UNDER § 5–801(B) OF THIS ARTICLE, THE STATE BOARD SHALL SEND A WRITTEN NOTICE TO EACH CANDIDATE WHO WAS SUCCESSFUL IN THE PRIMARY ELECTION AND HAS FAILED TO FILE A CAMPAIGN FINANCE REPORT OR AN AFFIDAVIT OR PAY A LATE FILING FEE THAT THE CANDIDATE WILL BE DEEMED TO HAVE DECLINED THE NOMINATION IF THE CANDIDATE DOES NOT RECTIFY THE FAILURE ON OR BEFORE THE DEADLINE FOR DECLINING THE NOMINATION SPECIFIED UNDER § 5–801(B) OF THIS ARTICLE.**";

and in line 17, strike "**(B)**" and substitute "**(C)**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 997 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Special Taxing Districts – Internet Service**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1093 – Delegates P. Young and Lisanti**

AN ACT concerning

**Income Tax – Subtraction Modification – Retirement Income**

**HB1093/165968/1**
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1093
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Lisanti" and substitute ", Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1172 – Delegate Cassilly**

AN ACT concerning

**Economic Development – Regional Advanced Manufacturing Partnership of Maryland**

**HB1172/345867/1**
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1172
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Cassilly" and substitute "Delegates Cassilly and Reilly"; and in line 20, strike "13–211(b)" and substitute "13–1211(b)".

AMENDMENT NO. 2

On page 4, in line 5, after "(iv)" insert "**REPRESENTATIVES WHO HAVE BEEN ACTIVELY INVOLVED IN THE PARTNERSHIP ON OR BEFORE DECEMBER 31, 2018, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES;**

**(V)**";

in line 6, strike "**A REPRESENTATIVE**" and substitute "**REPRESENTATIVES**"; in line 7, after "**TO**" insert "**:**

**1.**";

in line 8, after "**PARTNERSHIP**" insert "**; OR**

**2. ANY PARTICIPATING AGENCY ACTIVELY INVOLVED IN THE PARTNERSHIP**";

in lines 9, 11, and 13, strike "(v)", "(vi)", and "(vii)", respectively, and substitute "**(VI)**", "**(VII)**", and "**(VIII)**", respectively; in line 13, strike the bracket; in line 15, before "(viii)" insert an opening bracket; in line 23, after the bracket, insert "**(IX)**"; and in line 25, strike "**(VIII)**" and substitute "**(X)**".

On page 5, in lines 5 and 7, strike "**(IX)**" and "**(X)**", respectively, and substitute "**(XI)**" and "**(XIII)**", respectively; in line 6, strike "**AND**"; and after line 6, insert:

"**(XII) THE ASSISTANT STATE SUPERINTENDENT OF CAREER AND COLLEGE READINESS, OR THE ASSISTANCE STATE SUPERINTENDENT'S DESIGNEE; AND**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Johnson moved to make the Bill a Special Order for March 12, 2019.

The motion was adopted.

## QUORUM CALL

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

(See Roll Call No. 353)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 28

**House Bill 105 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Transportation Authority Facilities – Video Tolls – Collection**

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

Affirmative – 129 Negative – 6 (See Roll Call No. 354)

The Bill was then sent to the Senate.

**House Bill 190 – ~~Delegate Lafferty~~ Delegates Lafferty and Qi**

AN ACT concerning

**Environment – Failing On–Site Sewage Disposal System – Definition**

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

Affirmative – 129 Negative – 5 (See Roll Call No. 355)

The Bill was then sent to the Senate.

**House Bill 703** – **Delegates Lafferty, Fraser–Hidalgo, Holmes, Love, Stewart, and Wells**

AN ACT concerning

**Environmental Violations – Reporting Requirements**

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

Affirmative – 109 Negative – 24 (See Roll Call No. 356)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 29

**House Bill 214** – **Delegates Pena–Melnyk, Acevero, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Dumais, Fennell, W. Fisher, Fraser–Hidalgo, Glenn, Healey, Hill, Ivey, Kelly, Korman, Lafferty, Lehman, J. Lewis, R. Lewis, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Pendergrass, Proctor, Reznik, Rosenberg, Shetty, Stewart, Sydnor, Turner, Valderrama, Valentino–Smith, Walker, Washington, and Wilkins**

SECOND PRINTING

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**

Delegate Clippinger moved to reconsider the vote by which **House Bill 214** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

**HB0214/803422/1**
BY: Delegate Pena–Melnyk

AMENDMENT TO HOUSE BILL 214
(Bill as Printed for Third Reading)

On page 3, in line 25, strike "**§ 101(A)(15)(U)(III)**" and substitute "**§ 1101(A)(15)(U)(III)**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**House Bill 240** – **Delegates Rosenberg, Attar, Bridges, Cardin, Chang, Guyton, Hettleman, Lierman, Moon, Solomon, Stein, and Sydnor**

AN ACT concerning

**Hate Crimes – Threats ~~and Penalties~~**

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

Affirmative – 133 Negative – 2 (See Roll Call No. 357)

The Bill was then sent to the Senate.

**House Bill 253** – **Delegates Valentino–Smith, Atterbeary, Dumais, Fennell, W. Fisher, Lehman, McComas, Pena–Melnyk, Proctor, Stewart, and Sydnor**

AN ACT concerning

**Final Protective Orders – Relief – Transfer of Wireless Telephone Service**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 358)

The Bill was then sent to the Senate.

**House Bill 263** – **Delegate Atterbeary**

AN ACT concerning

**Criminal Procedure – Pretrial Release Services Program – Victim Notification**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 359)

The Bill was then sent to the Senate.

**House Bill 280 – Delegate Dumais**

AN ACT concerning

**Criminal Procedure – Charging Procedures and Documents – Citation**

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

Affirmative – 88 Negative – 47 (See Roll Call No. 360)

The Bill was then sent to the Senate.

## QUORUM CALL

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

(See Roll Call No. 361)

## RECESS

At 12:52 P.M. on motion of Delegate Dumais the House recessed until 8:00 P.M. on Legislative Day, March 8, 2019, Calendar Day, Monday, March 11, 2019.

**AFTER RECESS**
**Annapolis, Maryland**
**Legislative Day: March 8, 2019**
**Calendar Day: Monday, March 11, 2019**

## THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

At 8:00 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Ric Metzgar of Baltimore County.

## QUORUM CALL

The presiding officer announced a quorum call, showing 119 Members present.

(See Roll Call No. 365)

EXCUSED:
Del. Arentz – business
Del. Bagnall – funeral
Del. Bromwell – personal
Del. Busch – personal
Del. Miller – business
Del. Smith – medical

The Journal of March 8, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 24

**Senate Bill 6** – ~~**Senator Eckardt**~~ **Wicomico County Senators**

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Basket of Cheer Permit**

FOR the purpose of establishing a basket of cheer permit in Wicomico County; authorizing the Board of License Commissioners for Wicomico County to grant the permit to certain nonprofit organizations; providing that the permit authorizes the permit holder to provide as a prize at a benefit performance a basket of cheer, consisting of certain alcoholic beverages; specifying that the alcoholic beverages contained in a basket of cheer shall be for off–premises consumption; setting a fee for the permit;

and generally relating to alcoholic beverages permits in Wicomico County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 32–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 32–1313
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 19** – ~~**Senator Eckardt**~~ **Wicomico County Senators**

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Bed and Breakfast License**

FOR the purpose of establishing a Class B–BB (bed and breakfast) beer and wine license in Wicomico County; providing the qualifications that must be met for issuance of the license; authorizing the license holder to sell alcoholic beverages to guests of the establishment under certain circumstances; authorizing the license holder to sell alcoholic beverages to guests of certain catered events under certain circumstances; authorizing the license holder to allow certain guests to consume personal alcoholic beverages on the premises under certain circumstances and subject to a certain limitation; specifying the hours of sale of alcoholic beverages; specifying that, except during certain catered events or ticketed events hosted by the license holder, the license does not authorize the license holder to sell alcoholic beverages to certain individuals; specifying that a license is void under certain circumstances and must be returned to the Board of License Commissioners for Wicomico County; specifying that certain restrictions do not apply to a permanent resident of the establishment or to guests of the permanent resident; requiring the license holder to retain and make available certain records; setting an annual fee for the license; and generally relating to alcoholic beverages licenses in Wicomico County.

BY renumbering
Article – Alcoholic Beverages
Section 32–1001
to be Section 32–1001.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 32–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 32–1001
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 111 – Senator Eckardt**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Class A Licenses**

FOR the purpose of authorizing the Board of License Commissioners for Dorchester County to issue a Class A beer, wine, and liquor license for a premises licensed under a certain license; authorizing the Board to limit the number of Class A beer, wine, and liquor licenses issued by the Board; and generally relating to the issuance of Class A beer, wine, and liquor licenses in Dorchester County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 19–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 19–1604
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 153 – Senator Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Alternate Contributory Pension Selection – Return to Employment**

FOR the purpose of allowing an individual to resume participation in the Alternate Contributory Pension Selection in the Employees' Pension System or Teachers'

Pension System if the individual has been separated from employment and has accrued a certain amount of eligibility service; clarifying a period of time after which an individual may resume participation in the Alternate Contributory Pension Selection if the individual has been separated from employment for military service; providing for the application of this Act; requiring certain service credit earned in the Reformed Contributory Pension Benefit to be credited to the Alternate Contributory Pension Selection; and generally relating to participation in the Alternate Contributory Pension Selection in the Employees' Pension System and Teachers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–215.1(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 23–215.1(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 204 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License**

FOR the purpose of establishing a volunteer fire company or volunteer ambulance company alcoholic beverages license in Frederick County; specifying that the license authorizes a volunteer fire company or volunteer ambulance company to sell beer, wine, and liquor only during a fund–raising event for on–premises consumption; requiring the license holder to provide a certain notice to the Board of License Commissioners at a certain time; providing for an annual license fee; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages

Section 20–1014.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 213 – Senator Edwards**

AN ACT concerning

**Natural Resources – State Lakes Protection and Restoration Fund – Mandatory Funding and ~~Repeal of~~ Termination Date**

FOR the purpose of increasing the amount of a certain appropriation, beginning in a certain fiscal year, that the Governor is required to provide in the annual budget bill to the State Lakes Protection and Restoration Fund; ~~repealing~~ altering the termination date for certain provisions of law relating to the Fund; providing for the termination of this Act; and generally relating to the State Lakes Protection and Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–205
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 698 of the Acts of the General Assembly of 2018
Section 3

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 224 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice**

FOR the purpose of repealing in Frederick County the requirement that certain real estate owners within a certain distance of an establishment for which a license is sought sign a petition of support for the license application; repealing the provision of law providing for selecting other persons to sign the petition under certain circumstances; requiring an applicant for a license to post a certain notice at the location described in the application for at least a certain time; specifying the contents of the notice; and generally relating to applications for alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing
Article – Alcoholic Beverages
Section 20–1405
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 20–1405
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 256 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses**

FOR the purpose of limiting the sale of beer and wine by certain license holders for off–premises consumption to the discretion of the Board of License Commissioners for Carroll County; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 16–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 16–805
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 273 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Cinema/Theater License**

FOR the purpose of creating a cinema/theater license in Frederick County; authorizing the Board of License Commissioners to issue the license for use in a for–profit cinema or theater that has one or more screening rooms or performance halls; authorizing the license holder to sell beer, wine, and liquor for on–premises consumption under certain circumstances; requiring a license holder to sell certain food; authorizing a customer to consume beer, wine, or liquor anywhere on the licensed premises; prohibiting an individual serving beer, wine, or liquor from mixing the contents of one bottle with the contents of another bottle; requiring the individual to dispose of or destroy all empty bottles and cans; requiring a license holder to obtain a certain crowd control training certificate and have a certain certified crowd control manager present at the licensed premises at certain times; requiring the license holder to have a certain individual who has received certification from a certain alcohol awareness program to be present at the licensed premises under certain circumstances; specifying a license fee; repealing a provision of law concerning Class B–DH (drafthouse) licenses for theaters; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing
Article – Alcoholic Beverages
Section 20–1008
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 20–1003.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 274 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages Licenses – Sunday Sales**

FOR the purpose of repealing the prohibition on certain license holders in Frederick County selling beer, beer and wine, or beer, wine, and liquor at a bar or counter on Sunday; and generally relating to alcoholic beverages sales on Sunday in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–2002(c), 20–2004(c), and 20–2005(d)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 275 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Promoter's Permit**

FOR the purpose of repealing in Frederick County a certain requirement for a promoter's permit, so that an event that a for–profit organization seeks to publicize, sell tickets for, organize, produce, or stage need not be conducted in conjunction with a nonprofit organization that holds a certain license; altering certain permit fees; and generally relating to promoter's permits in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–1103
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 276 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Multiple Licenses Allowed**

FOR the purpose of authorizing the Board of License Commissioners for Frederick County to issue not more than a certain number of hotel or motel licenses, hotel or restaurant licenses, entertainment center licenses, or hotel lobby licenses to the same license holder; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–903, 20–904, 20–1009, and 20–1009.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 297 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License**

FOR the purpose of altering the requirement that a Class BC beer, wine, and liquor license holder provide food for consumption at certain catered events in Carroll County; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 16–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 16–903
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 298 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Required Information on Application**

FOR the purpose of repealing certain required information in a petition of support as part of an application for an alcoholic beverages license in Carroll County; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 4–110 and 16–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 16–1401
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 16–1405.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 309 – Senators Beidle, Elfreth, Reilly, and Rosapepe**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Racetrack ~~License~~ and Racetrack Concessionaire Licenses**

FOR the purpose of expanding the privileges of a racetrack license in Anne Arundel County; specifying certain attributes of a licensed racing establishment; specifying the location where beer, wine, and liquor may be sold under the license; specifying that the playing of music and dancing may occur on the licensed premises; ~~authorizing the Board of License Commissioners to issue a concessionaire license;~~ allowing the carrying and consuming of beer, wine, and liquor anywhere on the licensed premises; altering the fee for a racetrack license; authorizing the Board of License Commissioners to issue a racetrack concessionaire license to a certain person; authorizing a holder of a racetrack concessionaire license to also hold a certain other license; specifying the location where alcoholic beverages may be sold under the racetrack concessionaire license; specifying that the playing of music and dancing

may occur on the licensed premises of the concessionaire; allowing alcoholic beverages purchased under a racetrack concessionaire license to be taken into and consumed on the licensed premises of the racing establishment; establishing the annual license fee; specifying the days and hours of sale; stating that ~~the~~ a certain license holder need not obtain a certain Sunday license; ~~authorizing a license holder to also hold a certain other license;~~ prohibiting a racetrack license or a racetrack concessionaire license from being counted as a certain license for certain purposes; making conforming changes; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–401 and 11–1007
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 11–1007.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 325 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Basket of Cheer**

FOR the purpose of establishing a basket of cheer permit in Frederick County; requiring the Board of License Commissioners to grant the permit at no cost to holders of certain Class C per diem licenses; providing that the permit authorizes the permit holder to provide as a prize at a benefit performance a basket of cheer, consisting of certain alcoholic beverages produced in Maryland; specifying that the alcoholic beverages contained in a basket of cheer shall be for off–premises consumption; requiring a holder of a permit to obtain the alcoholic beverages contained in a basket of cheer from a holder of a retail license; prohibiting a permit holder from raffling off more than a certain number of baskets of cheer at each benefit performance; and generally relating to alcoholic beverages permits granted in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 20–1317
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 335 – Senator Carozza**

AN ACT concerning

**Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund**

FOR the purpose of increasing the Somerset County Liquor Control Board reserve fund; increasing the maximum amount of money the Liquor Control Board may distribute from the reserve fund to a dispensary; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 29–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 29–310
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)
(As enacted by Chapter 41 of the Acts of the General Assembly of 2016)

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

**Senate Bill 337 – Senator Carozza**

AN ACT concerning

**Somerset County – Alcoholic Beverages – Board of License Commissioners – Salaries**

FOR the purpose of increasing the salary of the chair, members, clerk, and attorney of the Board of License Commissioners for Somerset County; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 29–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 29–204
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 338 – Senator Carozza**

AN ACT concerning

**Somerset County – Alcoholic Beverages Licenses – Proximity to Places of Worship, Schools, Public Libraries, or Youth Centers**

FOR the purpose of altering the minimum distance from a place of worship, school, public library, or youth center for an establishment for which the Board of License Commissioners of Somerset County may issue a certain license; making a certain conforming change; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 29–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 29–1601
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 343 – Senator Kagan**

AN ACT concerning

**Election Law – Voting by Absentee Ballot – Prepaid Postage for Return of Ballots**

FOR the purpose of requiring that certain envelopes required to be used by voters voting by absentee ballot to return their ballots include prepaid postage; requiring that absentee ballots be accompanied by instructions for the postage of certain absentee ballot envelopes; ~~authorizing~~ requiring the State Board of Elections to reimburse ~~a~~ each local board of elections ~~on petition by the local board~~ for a certain percentage of the cost of prepaid postage included on absentee ballot envelopes provided to certain voters; and generally relating to prepaid postage for the return of absentee ballots.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–310
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 364 – Senators Simonaire, Bailey, Carozza, Ellis, Gallion, Kagan, Lam, Patterson, and Young**

AN ACT concerning

**Election Law – Election Day Page Program – Establishment**

FOR the purpose of establishing the Election Day Page Program; providing for the purpose of the Program; requiring the State Board of Elections to develop a certain page training program for use by local boards of elections that participate in the Program; authorizing the State Board to adopt certain regulations; authorizing a local board to participate in the Program; requiring a participating local board to implement or use the components of a certain page training program; authorizing a participating local board to request a certain waiver from the State Board; requiring participating local boards to staff and implement a page training ~~programs developed by the State Board and~~ program, to ensure each page receives certain training, and to encourage certain individuals to train as an election judge; prohibiting an individual from working as a page unless the individual completes certain training; requiring participating local boards, in ~~coordination~~ collaboration with local school systems, to establish a procedure for the selection of pages; authorizing participating local boards to recognize and certify community service hours for participating pages; providing for the construction of certain provisions of law; establishing qualifications for pages; prohibiting a page from engaging in certain conduct; authorizing a page to work up to a certain number of shifts; requiring a page to serve under the direct supervision of a certain election judge and to assist with certain duties; requiring a page to take and subscribe to a certain oath; requiring a participating local board to

provide and maintain the oath signed by a page; defining certain terms; and generally relating to the Election Day Page Program.

BY adding to
Article – Election Law
Section 10–401 through 10–405 to be under the new subtitle "Subtitle 4. Election Day Page Program"
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 427 – Senator Hershey**

AN ACT concerning

**Queen Anne's County – Alcohol Awareness Program**

FOR the purpose of requiring an alcoholic beverages license holder in Queen Anne's County or an individual designated by the license holder who has completed training in an approved alcohol awareness program to be present at all times when alcoholic beverages may be served; providing for certain penalties; and generally relating to alcoholic beverages in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 4–505(e) and 27–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 27–1901
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 27–1903
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 451 – Senators West, Kelley, Klausmeier, Lam, and Nathan–Pulliam**

AN ACT concerning

**Baltimore County – Development Impact Fees – Authorization and Use of Funds**

FOR the purpose of authorizing the County Council of Baltimore County, by ordinance, to impose development impact fees to finance the capital costs of certain public works, improvements, and facilities; requiring money collected through development impact fees used to finance the capital costs of certain public works, improvements, and facilities to be used in a certain community; and generally relating to the authority of the County Council of Baltimore County to impose development impact fees.

BY adding to
Article – Local Government
Section 20–701.1
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 486 – Senator Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Workers' Compensation Offset**

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to adjust a certain reduction of a retiree's accidental or special disability retirement benefit to reflect any offset awarded to the retiree's employer by the Workers' Compensation Commission; making conforming changes; and generally relating to the effect of workers' compensation benefits on retirement benefits.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–610(a)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–118
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 547 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Revisions**

FOR the purpose of reclassifying a draft beer license to be a draft beer permit in Garrett County; altering a certain hearing requirement for the issuance of a certain license in Garrett County; authorizing certain license holders to cater functions on their premises; repealing a prohibition of the issuance of certain licenses in Garrett County to applicants who had not met certain standards; repealing a prohibition of the issuance of certain licenses in Garrett County to a person that holds an out–of–state alcoholic beverages license; making certain conforming changes; and generally relating to alcoholic beverage licensing in Garrett County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 21–102 and 21–1309(a)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 21–1103, 21–1104, 21–1309(b), 21–1310, 21–1501(b), and 21–1803
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing
Article – Alcoholic Beverages
Section 21–1502 and 21–1504
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY renumbering
Article – Alcoholic Beverages
Section 21–1503, 21–1505, 21–1506, and 21–1507, respectively
to be Section 21–1502, 21–1503, 21–1504, and 21–1505, respectively
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 554 – Senator Pinsky**

AN ACT concerning

**State Board of Massage Therapy Examiners – Massage Therapists – Authority to Regulate**

FOR the purpose of authorizing county executives and governing bodies of counties, after

consultation with the State Board of Massage Therapy Examiners, to adopt certain ordinances or regulations; repealing the authority of certain county commissioners to adopt certain ordinances or regulations; authorizing certain health officers and local law enforcement to carry out certain provisions of law; altering the scope of a prohibition against the performance or offer of performance of a massage for compensation except under certain circumstances; authorizing law enforcement officers to demand proof of licensure or registration; and generally relating to the practice of massage therapy.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 6–405 and 6–502
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 636 – Senator Hershey**

AN ACT concerning

**Correctional Officers' Retirement System – Queen Anne's County**

FOR the purpose of requiring membership in the Correctional Officers' Retirement System for certain local detention center officers of Queen Anne's County under certain circumstances; providing that a certain individual is entitled to eligibility service and creditable service that was earned before the effective date of Queen Anne's County's participation in the Correctional Officers' Retirement System; providing that an individual who receives certain service credit is not a member and has no rights to a benefit in the Employees' Pension System; providing for the transfer of creditable service for a certain individual; providing for the transfer and crediting of certain assets on the effective date; and generally relating to Queen Anne's County's participation in the Correctional Officers' Retirement System.

BY adding to
Article – State Personnel and Pensions
Section 31–2B–06
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 640 – Senators Zucker and Miller**

AN ACT concerning

**State Government – Office of Program Evaluation and Government**

**Accountability and Maryland Program Evaluation Act**

FOR the purpose of renaming the Joint Audit Committee to be the Joint Audit and Evaluation Committee; altering the powers and duties of the Committee; establishing the Office of Program Evaluation and Government Accountability as a unit in the Department of Legislative Services; requiring the Executive Director of the Department, with the approval of and in consultation with certain individuals, to appoint the Director of the Office; authorizing the Director, with the approval of the Executive Director, to appoint a Deputy Director and certain staff; providing for the duties and authority of the Director and the Deputy Director; requiring the Office to conduct certain performance evaluations of units of State government in accordance with a certain work plan; authorizing the Office to conduct certain performance evaluations under certain circumstances; requiring the Office to conduct certain investigations under certain circumstances; authorizing the Office to conduct certain evaluations in accordance with the Maryland Program Evaluation Act; authorizing the Committee to direct the Office to conduct a certain assessment or scoping evaluation of a unit of State government and, based on the findings of the assessment or scoping evaluation, waive the unit from an evaluation under this Act; requiring the Office to conduct a performance evaluation of certain corporations or associations and certain local school systems under certain circumstances; requiring that performance evaluation reports include certain information; providing for the manner in which performance evaluations are to be conducted; granting employees and authorized representatives of the Office, except under certain circumstances, access to and the authority to inspect certain records; authorizing the Director to issue process to require a certain office to produce a certain record; authorizing, subject to a certain exception, an employee or authorized representative of the Office to submit a certain draft report only to certain individuals; requiring the Director, on the completion of each evaluation, to submit a certain report to the Committee and a copy of the report to certain other persons; requiring the Office to make certain reports available to the public in a certain manner; requiring the Director to advise the Committee of certain information; authorizing the Committee to make certain recommendations and propose certain legislation; requiring the Governor ~~and the Chief Judge of the Court of Appeals~~ to implement certain systems and processes; requiring certain units subject to evaluation to report to the Office certain information at certain times; requiring the Director to report certain violations of law to certain persons and request certain individuals to take certain actions; requiring and authorizing the Attorney General and the State's Attorney to take certain action with respect to a certain report and certain criminal violations; granting the Attorney General certain powers and duties; providing that certain information obtained during an evaluation is confidential and may not be disclosed except under certain circumstances; prohibiting certain individuals from including certain confidential information in a report or otherwise using the information in a certain manner; establishing a certain penalty; altering the manner in which certain governmental units and activities are evaluated under the Maryland Program Evaluation Act; requiring certain entities to provide certain information and cooperate with the Department to carry out certain requirements; requiring the units subject to termination or responsible for a governmental activity subject to

termination to ensure that certain legislation is requested; prohibiting the requested legislation from proposing a reestablishment period exceeding a certain number of years; stating the intent of the General Assembly that the Department conduct a certain evaluation and make certain recommendations on or before certain dates; defining certain terms; altering and repealing certain definitions; making conforming changes; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; and generally relating to the Office of Program Evaluation and Government Accountability and the Maryland Program Evaluation Act.

BY renumbering
Article – State Government
Section 2–1234 through 2–1241, and 2–1243 through 2–1249, respectively
to be Section 2–1244 through 2–1251, and 2–1254 through 2–1260, respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–601, 2–602, 2–605, 2–1206, 8–401, 8–402(a)(1) and (b)(2), and 8–405 through 8–409
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Government
Section 2–1230 through 2–1241 to be under the new part "Part V. Office of Program Evaluation and Government Accountability"; 8–403 and 8–408
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1247(a)(7), (13), and (15), 2–1251(2), and 2–1256(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

BY repealing
Article – State Government
Section 8–403 and 8–404
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–410 and 8–411

Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 652 – Senator Young**

AN ACT concerning

**Interstate Physical Therapy Licensure Compact**

FOR the purpose of entering into the Interstate Physical Therapy Licensure Compact; stating the purpose of the Compact; requiring a state to meet certain requirements to participate in the Compact; requiring the State to charge a certain fee; requiring a physical therapist to meet certain eligibility requirements to receive certain licensure and exercise a certain privilege; authorizing a licensee who is active duty military or the spouse of an individual who is active duty military to designate certain locations as the home state; establishing certain authority of home states and remote states with regard to certain adverse actions; establishing the Physical Therapy Compact Commission and its duties; providing for the election of an Executive Board of the Commission and establishing its duties; providing for the financing of the Commission; requiring the Commission to provide for the development, maintenance, and utilization of a coordinated database and reporting system; requiring member states to submit certain information to the data system; authorizing the Commission to adopt certain rules and amendments in a certain manner; providing for certain oversight, dispute resolution, and enforcement of the Compact; establishing certain requirements for withdrawal by member states from the Compact; providing for the dissolution of the Compact under certain circumstances; providing for the application of the Compact; providing for the binding effect of the Compact; establishing procedures for amending the Compact; making the provisions of the Compact severable; defining certain terms; and generally relating to the Interstate Physical Therapy Licensure Compact.

BY adding to
Article – Health Occupations
Section 13–3A–01 to be under the new subtitle "Subtitle 3A. Interstate Physical Therapy Licensure Compact"
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 667 – Senator Edwards**

AN ACT concerning

**Allegany County – Alcoholic Beverages – ~~Arts and Entertainment District License~~ Licenses**

FOR the purpose of establishing a Class L beer, wine, and liquor license in Allegany County; authorizing the Board of License Commissioners to issue the license to a holder of a manufacturer's license; specifying that the license authorizes the license holder to sell or provide samples of certain beer, wine, and liquor for on–premises consumption under certain circumstances; providing for the hours of sale and an annual license fee; establishing the ~~Class C~~ Class D (on–sale) beer and wine Arts and Entertainment District license in Allegany County; authorizing the Board ~~of License Commissioners~~ to issue the license to a for–profit festival promoter; establishing that the license authorizes the holder to exercise the privileges of the license at an entertainment event that is held in an arts and entertainment district in the county; establishing certain privileges for the license related to the purchase, transport, and consumption of beer and wine within the approved event area; requiring an applicant for a license to submit an application under oath on the form that the Board provides; establishing that certain provisions of law governing the application for, and issuance and denial of, alcoholic beverages licenses in the county do not apply to the license; requiring the license holder to distribute a wristband to certain individuals at the entertainment event; prohibiting the license holder from serving beer or wine to an individual who does not wear a wristband; establishing certain penalties for certain violations of this Act; authorizing a license holder to hold another alcoholic beverages license of a different class or nature; establishing a certain maximum duration for the license; limiting the number of licenses that may be issued to an individual festival promoter in a calendar year; establishing a certain license fee; and generally relating to the Class L beer, wine, and liquor license and the ~~Class C~~ Class D beer and wine Arts and Entertainment District license in Allegany County.

BY renumbering
Article – Alcoholic Beverages
Section 9–1304
to be Section 9–1304.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 9–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 9–905 and 9–1304
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 829 – Senator Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Unused Sick Leave**

FOR the purpose of making certain members of the State Retirement and Pension System eligible to receive creditable service at retirement for unused sick leave accrued by the member in certain systems in the State Retirement and Pension System under certain circumstances; providing for the calculation of the creditable service for unused sick leave accrued by certain members in certain systems; requiring a certain adjustment to a certain retirement benefit for certain retirees; and generally relating to creditable service for unused sick leave in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 860 – Senator Zirkin**

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission – Immunity – Revocation of Release**

FOR the purpose of prohibiting certain persons from being subject to revocation of mandatory supervision, parole, or probation for the medical use of or possession of medical cannabis; and generally relating to immunity from revocation of release.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3313
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 877 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Waterway Improvement Fund – Public Boating Construction Projects – Financing Limits**

FOR the purpose of increasing the maximum cost of a certain construction project that may be wholly financed with funds from the Waterway Improvement Fund; making certain stylistic changes; and generally relating to the Waterway Improvement Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–708(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

## APPROPRIATIONS COMMITTEE REPORT NO. 5

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 100 – The Speaker and the President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2020)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2019 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit M of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit N of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 1407 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit O of Appendix II)

Delegate McIntosh moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1407 – Chair, Appropriations Committee**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2019**

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 1407 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit O of Appendix II)

**HB1407/974167/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "appropriations;" insert "expanding the uses of certain funds;"; in line 7, after "revenues;" insert "requiring, for a certain fiscal year, the distribution of certain revenues to a certain Fund to be used for a certain purpose; requiring the Governor to include in the budget bill submitted at a certain General Assembly session an appropriation equal to a certain amount to be used for a certain purpose; repealing the authority of a certain commission to adjust, under certain circumstances, the distribution of proceeds from video lottery terminals in Baltimore City, Anne Arundel County, and Cecil County;"; in line 9, after "purpose;" insert "authorizing the Governor to process a certain budget amendment to appropriate certain revenues to be used for a certain purpose if a certain condition is met;"; after line 21, insert:

"BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–301(a) and (c)

Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–314
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)";

and in line 24, strike "and 6–104(a)(1)" and substitute ", 6–104(a)(1), and 7–330(b), (c), and (f)".

On page 2, in line 3, strike "and 6–104(e)" and substitute ", 6–104(e), 7–329, and 7–330(g) and (j)"; and after line 5, insert:

"BY repealing
Article – State Government
Section 9–1A–37(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

On page 7, in lines 8, 12, 15, 19, 24, and 28, strike "5.", "6.", "7.", "8.", "9.", and "10.", respectively, and substitute "4.", "5.", "6.", "7.", "8.", and "11.", respectively.

AMENDMENT NO. 2
On page 2, after line 34, insert:

"Article – Labor and Employment

10–301.

(a) In this subtitle the following words have the meanings indicated.

(c) "Fund" means the Uninsured Employers' Fund.

10–314.

(a) The Fund shall consist of:

(1) the money credited to the Fund under Title 9 of this article;

(2) income from investments that the State Treasurer makes for the Fund; and

(3) interest on deposits or investments of money from the Fund.

(b) The Director shall use the Fund to pay:

(1) each award under Title 9 of this article charged against the Fund;

(2) the amount that the Director authorizes for an expert or witness hired under § 10–310(c) of this subtitle;

(3) other proper charges that the Director authorizes; **[**and**]**

(4) whenever an employer who is self–insured in accordance with § 9–404 or § 9–405 of this article becomes insolvent, any outstanding obligations of the employer**; AND**

**(5) HEARING LOSS CLAIMS FOR RETIREES OF THE BETHLEHEM STEEL CORPORATION**.

(c) The liability of the Board, Director, Fund, State Treasurer, and State for all proper charges against the Fund is limited to the assets of the Fund.".

AMENDMENT NO. 3

On page 5, after line 15, insert:

"7–329.

(a) (1) In this section the following words have the meanings indicated.

(2) "Fund" means the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(3) (i) "Nonwithholding income tax revenues" means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10–101 of the Tax – General Article.

(ii) "Nonwithholding income tax revenues" does not include:

1. the county share of income tax quarterly estimated and final payments with returns made by individuals;

2. income tax payments made by corporations;

3. income tax refunds paid to individuals or corporations; or

4. income tax withholding.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

**(B–1) AT THE END OF FISCAL YEAR 2020 ONLY, IF THE AMOUNT OF NONWITHHOLDING INCOME TAX REVENUES THAT EXCEEDS THE CAPPED ESTIMATE DETERMINED UNDER § 6–104(E) OF THIS ARTICLE EXCEEDS THE AMOUNT NECESSARY TO CLOSE THE GAP IN REVENUES UNDER SUBSECTION (B) OF THIS SECTION, THE STATE COMPTROLLER SHALL DISTRIBUTE THE REMAINDER TO THE FISCAL RESPONSIBILITY FUND ESTABLISHED UNDER § 7–330 OF THIS SUBTITLE FOR THE PURPOSE OF PROVIDING A ONE–TIME BONUS IN FISCAL YEAR 2021 FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(1) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(2) (I) ELECTED TO A POSITION BY POPULAR VOTE;**

**(II) IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**(III) IN THE EXECUTIVE PAY PLAN.**

(c) **[**If**] EXCEPT AS PROVIDED IN SUBSECTION (B–1) OF THIS SECTION, IF** the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, and if the balance of the Revenue Stabilization Account under § 7–311 of this subtitle is less than 6% of the estimated General Fund revenues for that fiscal year, the State Comptroller shall distribute to the Revenue Stabilization Account the lesser of:

(1) the remaining balance of nonwithholding income tax revenues in excess of the capped estimate determined under § 6–104(e) of this article; or

(2) the amount required for the Revenue Stabilization Account balance to equal 6% of the estimated General Fund revenues for that fiscal year.

(d) **[**If**] EXCEPT AS PROVIDED IN SUBSECTION (B–1) OF THIS SECTION, IF** the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount the State Comptroller is required to distribute to the Revenue Stabilization Account under subsection (c) of this section, the State Comptroller shall distribute:

(1) subject to subsection (e) of this section, 50% of the remaining amount to the Revenue Stabilization Account; and

(2) the remainder to the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(e) The distribution to the Revenue Stabilization Account under subsection (d)(1) of this section does not apply if the amount in the Revenue Stabilization Account exceeds 10% of General Fund revenues.

7–330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7–329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6–104(e) of this article deposited into the Fund by the State Comptroller under § 7–329(d)(2) of this subtitle.

(g) **(1)** **[**The**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Fund may be used only to provide pay–as–you–go capital funds for:

**[**(1)**]** **(I)** public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

**[**(2)**]** **(II)** capital projects at public community colleges; and

**[**(3)**]** **(III)** capital projects at four–year public institutions of higher education.

**(2) FOR FISCAL YEAR 2021 ONLY, MONEY IN THE FUND SHALL BE USED TO PROVIDE A ONE–TIME BONUS FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(I) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(II) 1. ELECTED TO A POSITION BY POPULAR VOTE;**

**2. IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**3. IN THE EXECUTIVE PAY PLAN.**

(j) (1) **[**The**]** **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE** Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay–as–you–go capital projects.

(2) Money expended from the Fund for pay–as–you–go capital projects is supplemental to and is not intended to take the place of funding that otherwise would be

appropriated for capital projects, including those funded with pay–as–you–go funds and the proceeds from the sale of general obligation bonds.

**(3) THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL SUBMITTED AT THE 2021 SESSION OF THE GENERAL ASSEMBLY AN APPROPRIATION EQUAL TO THE AMOUNT DISTRIBUTED TO THE FUND IN ACCORDANCE WITH § 7–329(B–1) OF THIS SUBTITLE TO PROVIDE A ONE–TIME BONUS IN FISCAL YEAR 2021 FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(I) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(II) 1. ELECTED TO A POSITION BY POPULAR VOTE;**

**2. IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**3. IN THE EXECUTIVE PAY PLAN.**".

AMENDMENT NO. 4

On page 5, before line 16, insert:

"Article – State Government

9–1A–37.

**[**(c) (1) Subject to paragraphs (2) through (5) of this subsection, if a video lottery operation license is awarded to a video lottery facility in Prince George's County, the Commission may increase for a video lottery facility located in:

(i) Anne Arundel County, by not more than 2% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(8) of this subtitle; and

(ii) Baltimore City, by not more than 3% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(8) of this

subtitle.

(2) If the Commission increases the percentage of proceeds from video lottery terminals for the video lottery facility in Anne Arundel County under paragraph (1) of this subsection, the Commission shall increase the percentage of proceeds for the video lottery facility in Baltimore City by at least the same percentage point increase as for Anne Arundel County.

(3) (i) If a video lottery operation license is awarded to a video lottery facility in Prince George's County, the Commission may increase for a video lottery facility in Cecil County, by not more than 5% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(2) of this subtitle.

(ii) Any increased distribution of video lottery terminal proceeds under this paragraph for a video lottery facility in Cecil County shall be used for:

1. marketing, advertising, and promotional costs required under § 9–1A–23 of this subtitle; and

2. capital improvements at the video lottery facility.

(4) (i) On or before January 1, 2019, the Commission shall determine any adjustment authorized under paragraph (1) of this subsection to the percentage under § 9–1A–27(a)(8) of this subtitle or under paragraph (3) of this subsection.

(ii) Any adjustment authorized under this subsection may not take effect:

1. until a video lottery operation license is issued to a video lottery facility in Prince George's County; and

2. earlier than July 1, 2019.

(5) Before the Commission may make a determination on any adjustment under this subsection, the Commission shall report to the Governor and the General Assembly, in accordance with § 2–1246 of this article, on:

(i) the impact on existing facilities from a video lottery facility located in Prince George's County;

(ii) unexpected monetary gains to licensees from factors including the delayed opening of other facilities;

(iii) the monetary benefit to existing licensees from the removal of statutory or regulatory restrictions on video lottery operations;

(iv) increased revenue to licensees from the authorization of table games;

(v) the impact of any adjustments to the Education Trust Fund;

(vi) the tax implications, if any, and cost of the ownership of the video lottery terminals by video lottery facilities; and

(vii) any other factors related to the gaming market in Maryland and the ability of the State gaming program to compete with surrounding states.**]**".

On page 7, after line 27, insert:

"SECTION 9. AND BE IT FURTHER ENACTED, That the Governor is authorized to process a budget amendment to appropriate $15,766,919 in additional Education Trust Fund revenues received in fiscal year 2020 as a result of the repeal of § 9–1A–37(c) of the State Government Article as enacted by Section 1 of this Act. If Chapter (S.B. 1030/H.B. 1413) of the Acts of the General Assembly of 2019 takes effect, the special funds may be appropriated only to provide additional funding for students with disabilities as specified in Section 5 of Chapter (S.B. 1030/H.B. 1413) of the Acts of the General Assembly of 2019.".

AMENDMENT NO. 5

On page 7, strike in their entirety lines 4 through 7, inclusive.

AMENDMENT NO. 6

On page 7, in line 11, strike "$15,000,000" and substitute "$7,500,000".

AMENDMENT NO. 7

On page 7, before line 28, insert:

"SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding § 7–311(i) of the State Finance and Procurement Article or any other provision of law, for fiscal year

2020 only, and only as provided in the fiscal year 2020 operating budget bill, funds may be transferred by budget amendment from the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article and funds may be transferred by budget amendment from the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article and may be used for fiscal year 2020 for purposes as specified in the fiscal year 2020 operating budget bill.".

The preceding 7 amendments were read only.

Delegate McIntosh moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was adopted.

## RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 5

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1288** – **Delegate Barron**

AN ACT concerning

**Physicians – Dispensing Permit Exemption – Prepackaged Topical Medication**

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

**House Bill 1315** – **Delegate Glenn**

AN ACT concerning

**Higher Education – Cyber Warrior Diversity Program – Revisions**

The Bill was re–referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

**House Bill 1387** – **Delegates Brooks, Bromwell, and Fennell**

AN ACT concerning

**Economic Development – Maryland Tourism Development Board – Grants**

The Bill was re–referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

**House Bill 1412 – Delegate Korman**

AN ACT concerning

**Transportation – Maryland Metro/Transit Funding**

The Bill was re–referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environment and Transportation:

**House Bill 1422 – Delegate Barve**

AN ACT concerning

**Motor Vehicles – Highway Worker Safety**

The Bill was re–referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**Senate Bill 415 – Senator Kramer**

AN ACT concerning

**Long–Term Care Insurance – Annual Notice**

The Bill was re–referred to the Committee on Health and Government Operations.

**QUORUM CALL**

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

(See Roll Call No. 366)

## ADJOURNMENT

At 8:38 P.M. on motion of Delegate Dumais the House adjourned until 10:00 A.M. on Legislative Day March 9, 2019, Calendar Day, Tuesday, March 12, 2019.

**Annapolis, Maryland**
**Legislative Day: March 9, 2019**
**Calendar Day: Tuesday, March 12, 2019**
**10:00 A.M. Session**

## THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mike McKay of Allegany and Washington Counties.

## QUORUM CALL

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

(See Roll Call No. 367)

EXCUSED:
Del. Anderson – late – illness
Del. Busch – personal
Del. Carey – illness
Del. Miller – business
Del. Smith – medical

The Journal of March 11, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 25

**Senate Bill 203 – Senators Young, Elfreth, Feldman, Hester, Lee, Pinsky, Rosapepe, Washington, ~~and West~~ West, Benson, Ellis, Guzzone, Kagan, Lam, Nathan–Pulliam, and Patterson**

AN ACT concerning

**Natural Resources – No Net Loss of Forest – Definition**

FOR the purpose of altering the standard for achieving a no net loss of forest policy to measure for forest land by altering the definition of "no net loss of forest"; providing that this Act may not be interpreted to disrupt certain programs; and generally relating to the State's no net loss of forest policy.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–101(a) and 5–102(b)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–101(i)
Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 344 – Senators Zucker and Feldman**

AN ACT concerning

**State Agricultural Land Transfer Tax – ~~Nonagricultural Use Exemption – Repeal~~ Alteration of Nonagricultural Use Reduction and Exemptions**

FOR the purpose of ~~repealing an exemption from the State agricultural land transfer tax for an instrument of writing that transfers land on which the property tax has been paid for a certain number of taxable years on the basis of certain assessments; and generally relating to exemptions from the State agricultural land transfer tax~~ altering the method of calculating a certain reduction in the State agricultural land transfer tax for an instrument of writing that transfers title to agricultural land on which property tax was paid on the basis of an assessment other than farm or agricultural use in certain years before the transfer; repealing an exemption from the State agricultural land transfer tax for an instrument of writing that transfers title to agricultural land on which property tax was paid on the basis of an assessment other than farm or agricultural use for a certain number of years before the transfer; exempting an instrument of writing from the agricultural land transfer tax if the instrument of writing transfers title to agricultural land that was previously transferred by an instrument of writing that was subject to the agricultural land transfer tax; and generally relating to the nonagricultural use reduction to the State agricultural land transfer tax and exemptions from the State agricultural land transfer tax.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–301(a) and (b) and 13–302(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property

Section ~~13–303(c)~~ 13–303 and 13–305
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 421 – Senators Benson, Carter, Ferguson, Hayes, Lam, Lee, Patterson, and Peters**

AN ACT concerning

**Video Lottery Terminals – Minority Business Participation Goals – Enforcement and Reporting**

FOR the purpose of altering the date by which certain provisions of law relating to minority business participation goals for certain applicants or licensees are of no effect and may not be enforced; altering a deadline for a certain reporting requirement; and generally relating to video lottery terminals and minority business participation.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–10
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 335 of the Acts of the General Assembly of 2018
Section 2

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2018
Section 2

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

**Senate Bill 422 – Senators Benson, Feldman, Klausmeier, and Zucker**

AN ACT concerning

**State Department of Education – Employment Categories and Practices**

FOR the purpose of altering the employment categories of certain employees of the State Department of Education; requiring that all positions in the Department be appointed positions in the professional service and skilled service as well as the executive service and management service, subject to a certain exception; repealing the authority for certain special appointment positions in the Department; altering the procedures for the appointment, setting of qualifications, and transfer of

employees of the Department; specifying that certain employees serve at the pleasure of the State Board of Education and the State Superintendent of Schools; specifying that certain removal procedures apply to certain other employees; altering the removal procedures for certain employees; requiring that the Department determine which employment classifications at the Department would be described as being in the skilled service or the professional service; requiring that, beginning on a certain date, all employees hired by the Department in certain classifications be hired, promoted, or transferred in accordance with certain requirements; and generally relating to the employment categories and practices of the State Department of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–104 and 2–105
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 6–405(a)(3)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 458 – Senators Guzzone, King, Peters, and Zucker**

AN ACT concerning

**Corporate Income Tax – Single Sales Factor Apportionment – Deferred Tax Relief**

FOR the purpose of providing a subtraction modification under the Maryland corporate income tax for certain changes to a certain corporation's deferred tax assets or liabilities that are the result of certain acts of the General Assembly; providing for the calculation of the amount of the subtraction modification; providing that the subtraction modification may be claimed only for certain taxable years; providing that the subtraction may not be reduced as a result of an event that occurs after the calculation of the subtraction; providing, under certain circumstances, for the carryforward of the subtraction; requiring a corporation that intends to claim the subtraction to file a certain statement on or before a certain date; authorizing the Comptroller to review and alter the amount of the subtraction specified in the statement or claimed on certain tax returns; defining certain terms; and generally relating to a subtraction modification under the Maryland corporate income tax for certain changes to a certain corporation's deferred tax assets or liabilities.

BY adding to

Article – Tax – General
Section 10–311
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 662 – Senators Miller, King, and Pinsky**

AN ACT concerning

**Maryland Association of Environmental and Outdoor Education Grant (Maryland Green Schools Act of 2019)**

FOR the purpose of requiring the Governor to include a certain amount in the State budget for certain fiscal years to increase the number of green schools in the State; specifying the purposes for which the funds may be used; requiring that a certain evaluation be conducted in a certain manner, examine certain issues, and be provided to certain persons; and generally relating to green schools.

BY adding to
Article – Education
Section 7–117
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 726 – Senator Guzzone**

AN ACT concerning

**Income Tax Credit – Purchase of Cybersecurity Technology or Service**

FOR the purpose of altering a certain definition under the State income tax credit for the purchase of cybersecurity technology or service to allow purchases by certain buyers to qualify for the credit; providing for the application of this Act; and generally relating to a State income tax credit for the purchase of cybersecurity technology and services.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–733.1(a)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–733.1(b)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 744 – Senators Pinsky, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hester, Jennings, King, Lam, Lee, Rosapepe, West, Young, and Zucker**

EMERGENCY BILL

AN ACT concerning

**Protecting Natural Resources and Preserving Productive Farms – Commission on the Development of a Blueprint for Solar Energy in Maryland**

FOR the purpose of establishing the Commission on the Development of a Blueprint for Solar Energy in Maryland; 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 study and make recommendations regarding certain matters relating to solar energy planning and development; requiring the Commission to develop a certain blueprint to guide units of State and local government in evaluating proposed solar energy projects; requiring the Commission to take certain actions in carrying out its work; requiring the Commission to submit a certain report and blueprint to the Governor and the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Commission on the Development of a Blueprint for Solar Energy in Maryland.

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 777 – Senators Waldstreicher ~~and Smith~~, Smith, Eckardt, Edwards, Elfreth, Ferguson, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Salling, Serafini, and Zucker**

AN ACT concerning

**Property Tax – Exemption for Dwelling House Owned by Disabled Active Duty Service Member**

FOR the purpose of exempting from the property tax under certain circumstances dwelling houses owned by certain disabled active duty service members; requiring a disabled active duty service member to apply for the exemption and provide to the supervisor of assessments for a county a certain certification of disability; authorizing a county

or municipal corporation to authorize, by law, a refund to a disabled active duty service member under certain circumstances; requiring the governing body of a county or municipal corporation to pay interest on the refund under certain circumstances; requiring a county to include certain information on the property tax bill; defining a certain term; making conforming changes; providing for the application of this Act; and generally relating to a property tax exemption for dwelling houses owned by disabled active duty service members.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–208
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 870 – Senators King, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Kagan, Kelley, Klausmeier, Kramer, Lam, Lee, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker**

AN ACT concerning

**Income Tax – Child and Dependent Care Tax Credit – Alterations**

FOR the purpose of altering the maximum income limits for eligibility for a certain credit against the State income tax for certain child and dependent care expenses; altering the phase–out of the tax credit; making the credit refundable, subject to certain income limits; increasing, each taxable year, certain income eligibility and refundability thresholds by a certain cost–of–living adjustment; providing for the application of this Act; and generally relating to a credit against the State income tax for child and dependent care expenses.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–716
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

## APPROPRIATIONS COMMITTEE REPORT NO. 6

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 63 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Maryland Pension Administration System – Member Contributions**

**HB0063/954561/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 63
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "System;" insert "clarifying certain penalty provisions;".

AMENDMENT NO. 2

On page 1, in line 23, strike "or" and substitute "**AND**".

On page 2, in line 10, after "section" insert "**AND SUBMIT THE SUPPORTING PAYROLL DATA**"; in the same line, after the closing bracket insert "**AS EACH PAYROLL IS PAID AND IN A MANNER PRESCRIBED BY THE BOARD OF TRUSTEES**"; in lines 11 and 12, in each instance, strike "amounts" and substitute "**MEMBER CONTRIBUTIONS**"; in line 11, strike "and"; in line 12, strike the period and substitute a semicolon; strike in their entirety lines 13 and 14; in lines 15 and 17, strike "(i)" and "(ii)", respectively, and substitute "**(III)**" and "**(IV)**", respectively; and in line 17, strike "**A PENALTY**" and substitute "**THE PENALTY ASSESSED UNDER ITEM (III) OF THIS PARAGRAPH**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 155 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Hartman, Hornberger, Jacobs, Kipke, Kittleman, Krebs,**

**Malone, Mautz, McComas, McKay, Metzgar, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, and Szeliga**

AN ACT concerning

**Maryland Department of Health – Capital and Grant Programs – State Grants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 268 – Delegates Beitzel, Buckel, and McKay**

AN ACT concerning

**Maryland Community College Promise Scholarship Program – Alterations to the Award of Scholarship Funds**

**HB0268/904564/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 268
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "students;" in line 8; in line 15, strike ", 18–3603,"; and in the same line, strike "18–3604" and substitute "18–3604(b)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 24 on page 2 through line 33 on page 3, inclusive.

On page 4, strike in their entirety lines 2 and 3.

On pages 4 and 5, strike in their entirety the lines beginning with line 18 on page 4 through line 22 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 270 – Delegates Korman, Boyce, Healey, Hettleman, Ivey, Jalisi, Kelly, R. Lewis, Love, Luedtke, Moon, Palakovich Carr, Pena–Melnyk, Pendergrass, Reznik, Shetty, Solomon, Stewart, Terrasa, and Valderrama**

AN ACT concerning

**Higher Education – Collective Bargaining – Graduate Assistants**
**(Graduate Assistant Collective Bargaining Fairness Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 338 – Delegates Queen, Acevero, Bagnall, Barron, Bartlett, Cain, Cardin, Chang, Charkoudian, Crutchfield, Cullison, Dumais, Gaines, Gilchrist, Guyton, Haynes, Hettleman, Hill, Ivey, Jackson, Jones, Kelly, Korman, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, McKay, Moon, Mosby, Palakovich Carr, Proctor, Qi, Sample–Hughes, Shetty, Solomon, Stewart, Valderrama, Valentino–Smith, Washington, C. Watson, Wilkins, and K. Young**

AN ACT concerning

**Human Services – Food Supplements**
**(Summer SNAP for Children Act)**

**HB0338/244964/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 338
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "renaming the food stamp program to be the food supplement program;"; in the same line, after "provide" insert "matching funds for"; in line 20, after "plan;" insert "specifying the required State and local shares of funding for a county with an approved final plan;"; and in line 21, after "available" insert "State".

On page 2, in line 1, after the second "funding" insert "; requiring the Governor to appropriate a certain amount of funding for the supplemental benefits in certain fiscal years; if certain federal funding is available, requiring the Department of Human Services, in consultation with the State Department of Education, to apply for a certain federal grant to implement a Summer Electronic Benefit Transfer for Children demonstration project; requiring the Department to report to certain committees of the General Assembly on or before a certain date annually; providing for the termination of certain provisions of this Act"; in line 2, strike "stamp" and substitute "supplement"; and in line 3, strike "without" and substitute "with".

AMENDMENT NO. 2

On page 2, in lines 17, 20, 21, and 25, in each instance, strike "stamp" and substitute "**SUPPLEMENT**"; and in line 18, strike "Food Stamp Act" and substitute "**SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**".

On page 3 in lines 1, 8, 12, 25, and 29, on page 4 in lines 14, 17, and 24, and on page 5 in lines 17 and 19, in each instance, strike "**STAMP**" and substitute "**SUPPLEMENT**".

AMENDMENT NO. 3

On page 2, in line 31, after "**(B)**" insert "**(1)**".

On page 3, in line 1, after "**PROVIDE**" insert "**MATCHING**"; in line 3, strike "**IN THE AMOUNT OF:**" and substitute a period; after line 3, insert:

"**(2) FOR EACH CHILD IN THE HOUSEHOLD, THE COMBINED STATE AND COUNTY SUPPLEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL AT LEAST:**";

and in lines 4 and 6, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

AMENDMENT NO. 4

On page 3, in line 24, strike "**MARKET AND**"; in line 29, strike "**PARTICIPATION**" and substitute "**ELIGIBILITY AND ENROLLMENT**"; in line 30, strike "**AND**"; and in line 31, after "**5.**" insert "**CERTIFICATION OF THE MAXIMUM AMOUNT OF LOCAL SHARE FUNDS AVAILABLE; AND**

**6.**".

On page 4, in line 13, strike "**MARKETING AND**"; and in line 31, strike "**MAY 15**" and substitute "**APRIL 1**".

On page 5, in line 2, after "**APPROVAL**" insert "**ON OR BEFORE APRIL 15**"; and in lines 5 and 15, in each instance, strike "**TO**" and substitute "**FOR**".

AMENDMENT NO. 5

On page 5, strike beginning with "**(I)**" in line 8 down through "**SECTION**" in line 13 and substitute "**THE STATE AND LOCAL SHARES OF FUNDING REQUIRED FOR A COUNTY WITH AN APPROVED FINAL PLAN SHALL BE EQUAL TO THE STATE AND LOCAL SHARE PERCENTAGES ESTABLISHED BY THE STATE AND LOCAL COST–SHARE FORMULA FOR THAT COUNTY REQUIRED UNDER § 5–303(D)(3)(I) OF THE EDUCATION ARTICLE**";

in line 14, strike "**IN**" and substitute:

"**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**";

in the same line, after "**PROVIDE**" insert "**THE STATE SHARE OF**"; in line 16, after "**TO**" insert "**THE PRODUCT OF:**

**1.**";

in line 17, strike "**PARAGRAPH (1) OF THIS SUBSECTION MULTIPLIED BY**" and substitute "**SUBSECTION (G) OF THIS SECTION; AND**

**2.**";

in the same line, after "**OF**" insert "**CHILDREN IN HOUSEHOLDS THAT RECEIVE A FEDERAL BENEFIT UNDER THE**"; in line 18, strike "**RECIPIENTS**"; strike beginning with "**WHO**" in line 18 down through "**THEN**" in line 19 and substitute a comma; in line 19, after "**OF**" insert "**CHILDREN IN HOUSEHOLDS THAT RECEIVE A FEDERAL BENEFIT UNDER THE**"; strike beginning with "**RECIPIENTS**" in line 20 down through "**SECTION**" in line 21 and substitute "**IN ALL COUNTIES WITH AN APPROVED FINAL PLAN.**

**(II) THE AMOUNT OF FUNDS PROVIDED TO A COUNTY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE GREATER THAN THE STATE SHARE AMOUNT THAT CORRESPONDS TO THE MAXIMUM AVAILABLE LOCAL SHARE FUNDS CERTIFIED UNDER SUBSECTION (E)(1)(II)5 OF THIS SECTION**";

in line 23, strike "**PROVIDED**" and substitute "**REQUIRED**"; in the same line, strike "**(2)**" and substitute "**(1)**"; and after line 28, insert:

"**(G) EACH YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST $200,000 FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION.**".

AMENDMENT NO. 6

On page 5, strike in their entirety lines 29 and 30 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if federal funding is available, the Department of Human Services, in consultation with the State Department of Education, shall annually apply for a grant from the U.S. Department of Agriculture to implement a Summer Electronic Benefit Transfer for Children demonstration project.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1 of each year, the Department of Human Services shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Appropriations Committee on the status of the Summer Electronic Benefit Transfer for Children grant application and, if a grant has been awarded, the progress toward implementing a demonstration project.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. Sections 2 and 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Sections 2 and 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 607 – Delegates McIntosh and Busch**

AN ACT concerning

**Maryland Trauma Fund – State Primary Adult Resource Center – Reimbursement of On–Call and Standby Costs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 633 – Delegates Lierman, Acevero, B. Barnes, Hettleman, McIntosh, Solomon, Terrasa, Valentino–Smith, and P. Young**

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings – Established**

**HB0633/794660/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 633
(First Reading File Bill)

On page 3, in line 14, strike "**$500,000**" and substitute "**$250,000**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 679 – The Speaker (By Request – Workplace Harassment Commission) and Delegate Jones**

AN ACT concerning

**Workplace Harassment – Prohibitions, Liability, and Enforcement**

**HB0679/924964/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 679
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and"; in the same line, after "Enforcement" insert ", and Prevention Training"; and in line 19, after "harassment" insert "; providing that certain required sexual harassment prevention training for State employees may consist of webinar, computer–based, or online training under certain circumstances; specifying that a certain representative designated for a unit of the University System of Maryland shall be the unit's Title IX Coordinator".

On page 2, after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–203.1(c) and (d)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 9, after line 2, insert:

"Article – State Personnel and Pensions

2–203.1.

(c) (1) Each State employee shall complete at least a cumulative 2 hours of in–person or virtual, interactive training on sexual harassment prevention within:

(i) 6 months after the employee's initial appointment; and

(ii) every 2–year period thereafter.

(2) The training required under paragraph (1) of this subsection shall include:

(i) information on the federal and State laws concerning the prohibition of sexual harassment;

(ii) best practices in prevention and correction of sexual harassment, abusive conduct, and retaliation;

(iii) remedies and procedures available to victims of sexual harassment in employment; and

(iv) additional training for supervisors regarding information on:

1. properly responding to complaints of sexual harassment and preventing further abuse and retaliation; and

2. creating and maintaining a workplace culture in which sexual harassment is not tolerated.

**(3) (I) THE TRAINING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY CONSIST OF WEBINAR, COMPUTER–BASED, OR ONLINE TRAINING.**

**(II) IF THE TRAINING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION CONSISTS OF WEBINAR, COMPUTER–BASED, OR ONLINE TRAINING, THE TRAINING ALSO SHALL INCLUDE AN EVALUATIVE COMPONENT THAT:**

**1. ENSURES EMPLOYEE ENGAGEMENT IN THE TRAINING; AND**

**2. ASSESSES EMPLOYEE COMPREHENSION OF TRAINING OBJECTIVES.**

(d) (1) (i) Each unit shall designate a representative to coordinate with the Commission to implement the training State employees are required to complete under subsection (c) of this section.

(ii) **FOR A UNIT OF THE UNIVERSITY SYSTEM OF MARYLAND, THE REPRESENTATIVE DESIGNATED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE THE UNIT'S TITLE IX COORDINATOR.**

**(III)** A unit may incorporate the training into existing employment training for new employees and supervisors.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 821 – Delegate Barve**

AN ACT concerning

**State Retirement and Pension System – Investment Management Fees**

**HB0821/624263/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 821
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Barve" and substitute "Delegates Barve and Grammer"; in line 2, strike "Investment Management Fees" and substitute "Carried Interest – Reporting"; strike beginning with "altering" in line 3 down through

"System" in line 15 and substitute "requiring a report by the Board of Trustees for the State Retirement and Pension System to include the amount of carried interest on certain assets; requiring the report, for a certain year, to include information for certain previous fiscal years; and generally relating to a certain report by the Board of Trustees for the State Retirement and Pension System"; strike in their entirety lines 16 through 20, inclusive; and in line 23, strike "21–315(d) and (g)" and substitute "21–315(g)".

On page 4, in line 3, strike "4." and substitute "3.".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 20 on page 3, inclusive, and substitute:

"21–315.".

On page 3, in line 25, strike "**FEES**"; and on pages 3 and 4, strike in their entirety the lines beginning with line 33 on page 3 through line 2 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 861 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Unused Sick Leave**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 862 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Police Retirement System – Employment of Retirees – Clarifications**

**HB0862/184662/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 862
(First Reading File Bill)

On page 2, in line 30, strike the second "**RETIREMENT**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 863 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Workers' Compensation Offset**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1379 – Delegate B. Barnes**

AN ACT concerning

**Optional Retirement Program – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 7**

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 601 – Delegate D.E. Davis**

AN ACT concerning

**Renewable Energy Portfolio Standard – Tier 1 Eligibility**

**HB0601/343994/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 601
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Tier 1 Eligibility" and substitute "Alterations"; strike beginning with "altering" in line 3 through "language;" in line 6 and substitute "altering the renewable energy portfolio standard for certain years;"; in line 10, after "7–701(a)" insert ", (r), and (s)"; in line 15, strike "7–701(r)" and substitute "7–703(b)(14) and (15)"; and strike in their entirety lines 18 through 22 and substitute:

"BY adding to
Article – Public Utilities
Section 7–703(b)(16)
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, in line 17, in each instance, strike the bracket; in line 19, strike "**] OTHER THAN PUMP STORAGE GENERATION**"; in lines 24 and 25, in each instance, strike the bracket; after line 25, insert:

"7–703.

(b) The renewable energy portfolio standard shall be as follows:

(14) in **[**2019.**] 2019:**

**(I)** 20.4% from Tier 1 renewable sources, including:

**[**(i)**] 1.** at least 1.95% derived from solar energy; and

**[**(ii)**] 2.** an amount set by the Commission under § 7–704.2(a) of this subtitle, not to exceed 2.5%, derived from offshore wind energy; and

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(15) in 2020 **[**and later,**]:**

**(I)** 25% from Tier 1 renewable sources, including:

**[**(i)**] 1.** at least 2.5% derived from solar energy; and

**[**(ii)**] 2.** an amount set by the Commission under § 7–704.2(a) of this subtitle, not to exceed 2.5%, derived from offshore wind energy**; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES; AND**

**(16) IN 2021 AND LATER, AT LEAST 25% FROM TIER 1 RENEWABLE SOURCES, INCLUDING:**

**(I) AT LEAST 2.5% DERIVED FROM SOLAR ENERGY; AND**

**(II) AN AMOUNT SET BY THE COMMISSION UNDER § 7–704.2(A) OF THIS SUBTITLE, NOT TO EXCEED 2.5% DERIVED FROM OFFSHORE WIND ENERGY**.".

On page 3, in lines 2, 15, and 18, in each instance, strike the bracket; in line 16, strike "2018" and substitute "**2020**"; and strike in their entirety lines 19 through 21 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied and interpreted to affect all renewable portfolio standard compliance years that begin on or after January 1, 2019.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2019.".

The preceding 2 amendments were read only.

Delegate Bromwell moved to make the Bill and Amendments a Special Order for the end of this Calendar.

The motion was adopted.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 689 – Delegates Carey and D.E. Davis**

AN ACT concerning

**Electricity – Customer Choice – Education**

**HB0689/673696/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 689
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Public Utilities – Electricity and Natural Gas Suppliers – Information"; in line 3, strike "a"; in line 4, strike the first "website" and substitute "websites"; in the same line, after "electric" insert "and natural gas"; in lines 4 and 6, in each instance, strike "the website" and substitute "certain websites"; in line 7, after "electricity" insert "or natural gas"; and in line 28, after "7–510.2" insert "and 7–604.1".

AMENDMENT NO. 2

On page 3, in line 28, strike "**WEBSITE**" and substitute "**WEBSITES**"; and in line 29, after "**SUBTITLE**" insert "**AND § 7–604.1 OF THIS TITLE**".

On page 4, in line 14, before "**CUSTOMERS**" insert "**RESIDENTIAL**"; in line 15, after "**ELECTRICITY**" insert "**TO RESIDENTIAL CUSTOMERS**"; and in line 32, strike the colon.

On page 5, in line 1, strike "**(1)**"; strike beginning with "**; AND**" in line 2 down through "**SUPPLIER**" in line 4; in lines 2, 7, and 18, in each instance, after "**ELECTRICITY**" insert "**TO RESIDENTIAL CUSTOMERS**"; strike in their entirety lines 21 through 23, inclusive; in

line 24, strike "**AN INFORMAL**" and substitute "**A**"; in lines 24 and 27, strike "**(6)**" and "**(7)**", respectively, and substitute "**(5)**" and "**(6)**", respectively; and in line 27, strike the colon.

On page 6, in line 1, strike "**(I)**"; strike beginning with "**; AND**" in line 3 down through "**SUPPLIER**" in line 6; after line 11, insert:

"**7–604.1.**

**(A) THE COMMISSION SHALL ESTABLISH A CUSTOMER CHOICE SHOPPING WEBSITE THAT ALLOWS A CUSTOMER TO SORT NATURAL GAS SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS IN THE CUSTOMER'S SERVICE AREA.**

**(B) THE WEBSITE SHALL INCLUDE:**

**(1) A LIST OF ALL NATURAL GAS SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS IN A CUSTOMER'S SERVICE AREA, SORTABLE BY:**

**(I) COST OF SERVICE;**

**(II) COST OF NATURAL GAS PER THERM;**

**(III) RATE STRUCTURE;**

**(IV) DURATION OF THE CONTRACT;**

**(V) CANCELLATION FEE; AND**

**(VI) ANY OTHER ASPECT OF SERVICE THAT THE COMMISSION CONSIDERS NECESSARY;**

**(2) A WAY TO COMPARE NATURAL GAS SUPPLIERS BASED ON THE SORTABLE ITEMS SPECIFIED UNDER ITEM (1) OF THIS SUBSECTION;**

**(3) A LINK TO THE WEBSITE OF EACH NATURAL GAS SUPPLIER WITH AN OPEN OFFER TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS;**

**(4) A LINK TO A COMPLAINT PROCESS THAT PROVIDES ACCESS FOR THE CUSTOMER TO PROTECT THE CUSTOMER'S RIGHTS AND MAKE USE OF CONSUMER PROTECTIONS THROUGH THE COMMISSION; AND**

**(5) FACT SHEETS ON THE PROCESS FOR COMPARING OFFERS FROM NATURAL GAS SUPPLIERS ON THE WEBSITE, INCLUDING RELEVANT CONTRACT TERMS, REQUIREMENTS, LIMITATIONS, AND FEES.**

**(C) (1) TO ENSURE THE CURRENCY AND ACCURACY OF INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL MAINTAIN A SECURE PORTAL ON ITS WEBSITE TO RECEIVE INFORMATION ABOUT OFFERS TO SUPPLY NATURAL GAS FROM NATURAL GAS SUPPLIERS.**

**(2) AT LEAST ONCE A MONTH, EACH NATURAL GAS SUPPLIER WITH AN OPEN OFFER TO SUPPLY NATURAL GAS SHALL SUBMIT DETAILED INFORMATION ABOUT THE OFFER TO THE COMMISSION THROUGH A SECURE PORTAL MAINTAINED BY THE COMMISSION ON THE COMMISSION'S WEBSITE FOR THIS PURPOSE.**

**(D) THE COMMISSION SHALL RECOVER THE COST OF COMPLYING WITH THIS SECTION IN ACCORDANCE WITH § 2–110 OF THIS ARTICLE.**";

in line 14, strike "Act and" and substitute "Act,"; in the same line, strike "its" and substitute "the"; strike beginning with "and" in line 14 down through "Article" in line 15 and substitute "section on its website, and establish the customer choice shopping websites required under §§ 7–510.2 and 7–604.1 of the Public Utilities Article"; in line 23, strike "a"; and in the same line, strike "website" and substitute "websites".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 951 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**Security Systems Technicians – Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 952 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Cosmetologists – Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 953 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Barbers – Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1021 – Delegate Glenn**

AN ACT concerning

**Business Occupations and Professions – Barbers – Additional Students**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1099 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Athletic Commission – Sunset Extension**

Favorable report adopted.

Delegate D.E. Davis moved to make the Bill a Special Order for Saturday.

The motion was adopted.

## SPECIAL ORDERS

**House Bill 601 – Delegate D.E. Davis**

AN ACT concerning

**Renewable Energy Portfolio Standard – Tier 1 Eligibility**

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**HB0601/343994/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 601
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Tier 1 Eligibility" and substitute "Alterations"; strike beginning with "altering" in line 3 through "language;" in line 6 and substitute "altering the renewable energy portfolio standard for certain years;"; in line 10, after "7–701(a)" insert ", (r), and (s)"; in line 15, strike "7–701(r)" and substitute "7–703(b)(14) and (15)"; and strike in their entirety lines 18 through 22 and substitute:

"BY adding to
Article – Public Utilities
Section 7–703(b)(16)
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, in line 17, in each instance, strike the bracket; in line 19, strike "**] OTHER THAN PUMP STORAGE GENERATION**"; in lines 24 and 25, in each instance, strike the bracket; after line 25, insert:

"7–703.

(b) The renewable energy portfolio standard shall be as follows:

(14) in **[**2019,**] 2019:**

**(I)** 20.4% from Tier 1 renewable sources, including:

**[**(i)**] 1.** at least 1.95% derived from solar energy; and

**[**(ii)**] 2.** an amount set by the Commission under § 7–704.2(a) of this subtitle, not to exceed 2.5%, derived from offshore wind energy; and

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(15) in 2020 **[**and later,**]:**

**(I)** 25% from Tier 1 renewable sources, including:

**[**(i)**] 1.** at least 2.5% derived from solar energy; and

**[**(ii)**] 2.** an amount set by the Commission under § 7–704.2(a) of this subtitle, not to exceed 2.5%, derived from offshore wind energy**; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES; AND**

**(16) IN 2021 AND LATER, AT LEAST 25% FROM TIER 1 RENEWABLE SOURCES, INCLUDING:**

**(I) AT LEAST 2.5% DERIVED FROM SOLAR ENERGY; AND**

**(II) AN AMOUNT SET BY THE COMMISSION UNDER § 7–704.2(A) OF THIS SUBTITLE, NOT TO EXCEED 2.5% DERIVED FROM OFFSHORE WIND ENERGY**.".

On page 3, in lines 2, 15, and 18, in each instance, strike the bracket; in line 16, strike "2018" and substitute "**2020**"; and strike in their entirety lines 19 through 21 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied and interpreted to affect all renewable portfolio standard compliance years that begin on or after January 1, 2019.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2019.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 8

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 108 – Delegates Carr and Korman**

AN ACT concerning

**Vehicle Laws – Intersections – Prohibited Acts**

**HB0108/750216/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 108
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "establishing" in line 7 down through "purposes;" in line 8.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 17 through 20, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 275 – Delegates Stein, Bagnall, Brooks, D.E. Davis, Ebersole, Fraser–Hidalgo, Gilchrist, Healey, Hettleman, Holmes, Jones, Lafferty, Lehman, R. Lewis, Lisanti, Moon, and Stewart**

AN ACT concerning

**Pesticides – Use of Chlorpyrifos – Prohibition**

**HB0275/930814/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "State;" insert "authorizing the Department of Agriculture to grant a certain waiver under certain circumstances;"; in the same line, strike the second "State"; and in the same line, strike "of Agriculture".

AMENDMENT NO. 2

On page 1, in line 16, strike "**ON**" and substitute "**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ON**"; in the same line, strike "**JANUARY 1**" and substitute "**DECEMBER 31**"; and after line 19, insert:

"**(B) IF THE DEPARTMENT DETERMINES THAT NO ALTERNATIVE TO THE USE OF CHLORPYRIFOS EXISTS, THE DEPARTMENT MAY GRANT A WAIVER, ON REQUEST, TO ALLOW A PERSON TO USE CHLORPYRIFOS, INCLUDING INSECTICIDES THAT**

**CONTAIN CHLORPYRIFOS OR SEEDS THAT HAVE BEEN TREATED WITH CHLORPYRIFOS, ON OR BEFORE DECEMBER 31, 2022.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ghrist moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 298 – Delegates Busch, Bagnall, Barve, Branch, Cain, Dumais, Fraser–Hidalgo, Gaines, Gilchrist, Healey, Holmes, Jones, Lafferty, Luedtke, McIntosh, Stein, and Wilkins**

AN ACT concerning

**Oysters – Tributary–Scale Sanctuaries – Protection and Restoration**

**HB0298/410714/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 298
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "report" and substitute "provide certain reports"; and in line 10, strike "a certain date" and substitute "certain dates".

AMENDMENT NO. 2

On page 5, after line 22, insert:

"(d) On or before July 1, 2029, the Department of Natural Resources shall review the results of the continued monitoring of the five oyster sanctuaries required under Section 2 of this Act and provide a report on the success of large–scale restoration projects in the five sanctuaries to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee in accordance with § 2–1246 of the State Government Article.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Mautz moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 376 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Traffic Accident or Incident Management**
**(Clear the Road Act of 2019)**

**HB0376/690813/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 376
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "establishing" in line 9 down through "incident;" in line 12.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 34 on page 2 through line 9 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 428 – Delegates C. Watson, Atterbeary, Bagnall, Cain, Chang, Corderman, Ebersole, Feldmark, Fennell, Hill, Jackson, Kelly, Kittleman, Korman, Lafferty, R. Lewis, Miller, Patterson, Pendergrass, and Terrasa**

AN ACT concerning

**Comprehensive Flood Management Grant Program – Awards for Flood Damage and Mandatory Funding**

**HB0428/200818/2**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 428
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Terrasa" and substitute "Terrasa, Acevero, Anderton, Boyce, Bridges, Gaines, Ghrist, Gilchrist, Harrison, Haynes, Healey, Hettleman, Holmes, Jones, Krimm, Lehman, Lierman, Love, Mangione, McKay, Proctor, Solomon, Stein, Valentino–Smith, Wells, and P. Young"; in line 14, after "submission;" insert "specifying that funds not awarded from the comprehensive flood management grant program by the end of a fiscal year remain in the program and are not subject to a certain provision of law;".

AMENDMENT NO. 2

On page 3, in line 1, strike "**DEBRIS REMOVAL**" and substitute "**WATERSHED RESTORATION**".

On page 4, after line 31, insert:

"**(II) THE TOTAL AMOUNT OF GRANTS AWARDED BY THE DEPARTMENT TO SUBDIVISIONS UNDER THIS PARAGRAPH MAY:**

**1. FOR FISCAL YEARS 2020, 2021, AND 2022, EQUAL UP TO 100% OF THE TOTAL AMOUNT OF MONEY APPROPRIATED TO THE COMPREHENSIVE FLOOD MANAGEMENT PROGRAM; AND**

**2. FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, EQUAL UP TO 50% OF THE TOTAL AMOUNT OF MONEY APPROPRIATED TO THE COMPREHENSIVE FLOOD MANAGEMENT PROGRAM.**";

and in line 32, strike "**(II)**" and substitute "**(III)**".

On page 5, in line 2, strike "**DEBRIS REMOVAL**" and substitute "**WATERSHED RESTORATION**"; in lines 4 and 5, strike "**DEBRIS REMOVAL**" and substitute "**WATERSHED MANAGEMENT**"; and in line 8, strike "**ITEM**" and substitute "**SUBPARAGRAPH**".

AMENDMENT NO. 3

On page 5, in line 9, strike "**(III)**" and substitute "**(IV)**"; in line 11, strike "**A LOCALLY**" and substitute "**AN AREA**"; in line 12, after "**DESIGNATED**" insert "**BY THE MARYLAND HISTORICAL TRUST AS AN**"; in line 22, after "**(8)**" insert "**(I)**"; in the same line, strike "**FOR EACH FISCAL YEAR**" and substitute "**FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER**"; and after line 24, insert:

"**(II) FUNDS NOT AWARDED FROM THE COMPREHENSIVE FLOOD MANAGEMENT GRANT PROGRAM BY THE END OF A FISCAL YEAR:**

**1. SHALL REMAIN IN THE PROGRAM; AND**

**2. ARE NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0428/523224/1**
BY: Delegate Mangione

AMENDMENT TO HOUSE BILL 428, AS AMENDED

On page 1 of the Environment and Transportation Committee Amendments (HB0428/200818/2), in line 3 of Amendment No. 1, strike "Mangione,".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 515 – Delegates Hornberger, Beitzel, Cassilly, Chisholm, Jacobs, Jalisi, Krebs, Reilly, Rose, Saab, and Shoemaker**

AN ACT concerning

**Municipalities – Municipal Infraction Proceedings – Designation of a Building Inspector or an Enforcement Officer to Testify**

**HB0515/990919/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 515
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "proceeding" insert "without the assistance of a prosecuting attorney; providing that a prosecuting attorney is not limited in or restricted from calling certain individuals to testify in a municipal infraction proceeding".

AMENDMENT NO. 2

On page 2, in line 4, after "**PROCEEDING**" insert "**WITHOUT THE ASSISTANCE OF A PROSECUTING ATTORNEY**"; and after line 4, insert:

"**(C) NOTHING IN THIS SECTION SHALL LIMIT OR RESTRICT THE ABILITY OF A PROSECUTING ATTORNEY TO CALL INDIVIDUALS TO TESTIFY IN A MUNICIPAL INFRACTION PROCEEDING.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 528 – Delegates Smith, Attar, Boyce, Bridges, Conaway, Glenn, R. Lewis, Lierman, Mosby, and Wells**

AN ACT concerning

**Baltimore City – Police Districts – Redistricting**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 560 – Delegates Healey, Gaines, and Stewart**

AN ACT concerning

**Transportation – State Highway Administration – Traffic Calming Devices**

**HB0560/640716/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 560
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "to" in line 3 down through "devices" in line 6 and substitute ", in consultation with appropriate county and municipal authorities, to compile certain best practices for siting, constructing, and maintaining traffic calming devices; requiring the Administration to coordinate and act as a clearinghouse for certain best practices for traffic calming devices and, based on the best practices, publish and periodically update certain information on best practices for traffic calming devices; requiring the information on best practices to include certain cost estimates"; in line 7, strike "engineering services" and substitute "information on best practices"; in the same line, strike "development" and substitute "siting"; and in line 8, after "county" insert "or municipality".

AMENDMENT NO. 2

On page 2, in line 4, after "**ADMINISTRATION**" insert "**, IN CONSULTATION WITH APPROPRIATE COUNTY AND MUNICIPAL AUTHORITIES,**"; in the same line, strike "**DEVELOP AND ADOPT STATEWIDE**" and substitute "**COMPILE**"; strike beginning with "**STANDARDS**" in line 5 down through "**ADDRESSING**" in line 6 and substitute "**BEST PRACTICES FOR SITING, CONSTRUCTING, AND MAINTAINING TRAFFIC CALMING DEVICES THAT ADDRESS**"; in lines 11 and 12, strike "**PUBLISH A MANUAL PROVIDING STATEWIDE STANDARDS**" and substitute "**:**

**(I) COORDINATE AND ACT AS A CLEARINGHOUSE FOR BEST PRACTICES FOR SITING, CONSTRUCTING, AND MAINTAINING TRAFFIC CALMING DEVICES; AND**

**(II) BASED ON THE BEST PRACTICES, PUBLISH AND PERIODICALLY UPDATE INFORMATION ABOUT BEST PRACTICES**";

in line 12, strike "**CONSTRUCTION**" and substitute "**SITING, CONSTRUCTION,**"; in line 14, strike "**MANUAL**" and substitute "**INFORMATION ON BEST PRACTICES**"; in line 15, strike the second "**OF**" and substitute "**FOR**"; in line 17, strike "**(1)**"; in the same line, after "**COUNTY**" insert "**OR MUNICIPALITY**"; in line 18, strike "**ENGINEERING SERVICES**" and substitute "**INFORMATION ON BEST PRACTICES**"; in the same line, strike "**DEVELOPMENT**" and substitute "**SITING**"; and strike in their entirety lines 20 and 21.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 652 – Delegates Love, Acevero, Boyce, Brooks, Carr, Cullison, Ebersole, Gilchrist, Kelly, Lafferty, Lehman, R. Lewis, Lierman, Lisanti, Moon, Palakovich Carr, Solomon, Stewart, Terrasa, Valderrama, and K. Young**

AN ACT concerning

**Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements**

**HB0652/220317/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 652

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after the semicolon insert "requiring the Department of Agriculture to adopt certain regulations regarding the routine administration of a medically important antimicrobial drug to dairy cattle entering a dry cycle on or before a certain date;"; in the same line, strike "owner" and substitute "veterinarian"; in line 12, strike "prescription" and substitute "record"; in line 13, strike "of Agriculture"; and strike beginning with "requiring" in line 18 down through "manner;" in line 21.

AMENDMENT NO. 2

On page 2, in line 21, after the semicolon insert "**OR**"; and strike beginning with the semicolon in line 23 down through "**CYCLE**" in line 24.

On page 6, after line 10, insert:

"**(F) ON OR BEFORE JANUARY 1, 2021, THE DEPARTMENT SHALL ADOPT REGULATIONS PROHIBITING THE ROUTINE ADMINISTRATION OF A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG TO DAIRY CATTLE ENTERING A DRY CYCLE EXCEPT WHEN NECESSARY BASED ON AN ASSESSMENT OF THE PRESENCE OF AN INTRAMAMMARY INFECTION.**".

AMENDMENT NO. 3

On page 4, in line 23, strike "**10**" and substitute "**300**".

AMENDMENT NO. 4

On page 6, in line 1, strike "**MANDATE**" and substitute "**REQUIRE**"; in line 20, strike "**AN OWNER**" and substitute "**A LICENSED VETERINARIAN**"; in line 22, after "**OF**" insert "**THE RECORD PRESCRIBING**"; in line 23, strike "**PRESCRIPTION**"; in the same line, after "**OR**" insert "**A COPY OF THE**"; and in line 26, after "**ACCOUNTING**" insert "**, AS PROVIDED BY THE OWNER,**".

AMENDMENT NO. 5

On page 6, in line 29, strike "December 1, 2019, and each December 1" and substitute "**FEBRUARY 1, 2020, AND EACH FEBRUARY 1**".

On page 7, in line 1, strike "**DECEMBER**" and substitute "**FEBRUARY**"; and in lines 24 and 25, strike "**FARM OPERATION THAT SUBMITTED THE INFORMATION**" and substitute "**OWNER, OPERATOR, AND VETERINARIAN FOR WHOM THE INFORMATION WAS SUBMITTED**".

AMENDMENT NO. 6

On page 8, strike in their entirety lines 2 through 6, inclusive; and in line 7, strike "3." and substitute "2.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Cox moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 655 – Delegate D.E. Davis**

AN ACT concerning

**Real Property – Residential Rental Licensing – Common Ownership Community Fees**

**HB0655/730811/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 655
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "make a certain certification" and substitute "certify certain information"; and strike beginning with "requiring" in line 6 down through "circumstances" in line 7 and substitute "providing that this Act does not preclude a county

or municipality from adopting or enforcing requirements that are more stringent than the requirements of this Act".

AMENDMENT NO. 2

On page 2, strike beginning with the second "**FEE**" in line 6 down through "**COMMUNITY**" in line 9 and substitute "**REGULAR PERIODIC ASSESSMENT FOR COMMON EXPENSES THAT IS LEVIED IN ACCORDANCE WITH THE REQUIREMENTS OF THE DECLARATION OR BYLAWS OF THE COMMON OWNERSHIP COMMUNITY**"; and in line 14, strike "**ANY**" and substitute "**A**".

AMENDMENT NO. 3

On page 2, in line 12, before "**LICENSE**" insert "**NEW OR RENEWED**"; and in line 14, strike "**30**" and substitute "**60**".

AMENDMENT NO. 4

On page 2, strike in their entirety lines 16 through 25, inclusive, and substitute:

"**(D) THIS SECTION DOES NOT PRECLUDE A COUNTY OR MUNICIPALITY FROM ADOPTING AND ENFORCING REQUIREMENTS THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION.**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 753 – Delegate Holmes**

AN ACT concerning

**Real Property – Ground Leases – Past Due Ground Rent**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 773 – Delegates P. Young, Bartlett, Brooks, Carey, Chang, Charkoudian, Corderman, Crosby, Ebersole, W. Fisher, Gaines, Hornberger, Jalisi, Johnson, Krimm, Mautz, Patterson, Rogers, Sample–Hughes, Solomon, Stein, and Valentino–Smith**

AN ACT concerning

**Vehicle Registration – Special Plates for Honorably Discharged Veterans**

**HB0773/240216/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 773
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Honorably Discharged"; in the same line, after "Veterans" insert "– Fees"; and strike beginning with "develop" in line 3 down through "States" in line 12 and substitute "charge a certain additional fee on the issuance of special registration plates for recipients of an individually earned, combat–related, armed forces medal; requiring that the additional fee under this Act be credited to the Maryland Veterans Trust Fund; and generally relating to the fees charged for certain special registration plates for veterans".

On pages 1 and 2, strike beginning with line 23 on page 1 through line 2 on page 2, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–619.1
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, strike beginning with "**HONORABLY**" in line 22 down through "**STATES**" in line 23 and substitute "**RECIPIENTS OF AN INDIVIDUALLY EARNED, COMBAT–RELATED, ARMED FORCES MEDAL**"; and in line 23, strike "**13–619.4**" and substitute "**13–619.1**".

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 27 on page 4, inclusive, and substitute:

"13–619.1.

(a) (1) The owner of a motor vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle may apply to the Administration for the assignment of a special registration number and special registration plates under this section for a vehicle included in one of the following classes:

(i) A Class A (passenger) vehicle;

(ii) A Class E (truck) vehicle with a one ton or less manufacturer's rated capacity;

(iii) A Class M (multipurpose) vehicle; or

(iv) A Class D (motorcycle) vehicle.

(2) To be eligible for a special registration described under subsection (c)(2)(i) of this section, an applicant shall provide proof that is satisfactory to the Administration that the applicant is a recipient of an individually earned, combat–related, armed forces medal.

(3) To be eligible for a special registration described under subsection (c)(2)(ii) of this section, an applicant shall provide proof that is satisfactory to the Administration that the applicant is an honorably discharged veteran of a branch of the armed forces of the United States.

(4) To be eligible for a special registration described under subsection (c)(2)(iii) of this section, an applicant shall provide proof that is satisfactory to the Administration that the applicant is a recipient of the U.S. Department of Defense Gold Star for surviving spouses, parents, and next of kin of members of the armed forces who lost their lives in combat.

(b) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a special registration under this section shall pay a fee

as determined by the Administration each time new registration plates are issued for the vehicle.

**(2)** The fee shall be calculated to **[**recover**]:**

**(I) RECOVER** the costs incurred by the Administration in carrying out the provisions of this section**; AND**

**(II) RESULT IN A SURPLUS OF AT LEAST $10 FOR EACH ISSUANCE OF NEW REGISTRATION PLATES UNDER THIS SECTION**.

**[**(2) The additional fee charged under this section shall be retained by the Administration for the purpose of recovering the Administration's costs under this section, and may not be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.**]**

**(3) (I) THE PORTION OF THE ADDITIONAL FEE CHARGED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION SHALL BE RETAINED BY THE ADMINISTRATION FOR THE PURPOSE OF RECOVERING THE ADMINISTRATION'S COSTS UNDER THIS SECTION.**

**(II) THE PORTION OF THE ADDITIONAL FEE CHARGED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION:**

**1. MAY NOT BE RETAINED BY OR TRANSFERRED TO ANY AGENCY OF THE STATE FOR ANY PURPOSE; AND**

**2. SHALL BE CREDITED TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THE STATE GOVERNMENT ARTICLE.**

**(III) NO PORTION OF THE ADDITIONAL FEE CHARGED UNDER THIS SUBSECTION MAY BE CREDITED TO THE GASOLINE AND MOTOR VEHICLE REVENUE ACCOUNT FOR DISTRIBUTION UNDER § 8–403 OR § 8–404 OF THIS ARTICLE.**

(c) Special registration plates issued under this section:

(1) May consist of any combination of letters, numerals, or both; and

(2) Shall include:

(i) For registration plates issued for an applicant described in subsection (a)(2) of this section:

1. An emblem or logo as authorized by the Administration that depicts the applicant's armed forces medal; and

2. Except on plates issued for Class D (motorcycle) vehicles, words describing the medal printed across the bottom of the plates;

(ii) Words or an emblem or logo indicating that the special registration plate holder is an honorably discharged veteran of a branch of the armed forces of the United States; or

(iii) An emblem or logo indicating that the registration plate holder is the recipient of the U.S. Department of Defense Gold Star.

(d) (1) The Administration, in consultation with the U.S. Department of Defense and appropriate representatives of the various branches of the armed forces, shall adopt regulations specifying those armed forces medals that are of the type described in subsection (a)(2) of this section and which, when awarded to an individual, qualify that individual to apply for special registration under this section.

(2) The Administration may adopt other regulations as necessary to govern the issuance of special registration numbers and special registration plates under this section.

(e) If, whether by act of the parties or by operation of law, the title or ownership interest in a vehicle assigned a special registration under this section is transferred from the joint names of a husband and wife to the individual name of either spouse, the transferee may continue to use the same special registration plates issued under this section on the vehicle after the transfer.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 954 – Delegate Cassilly**

AN ACT concerning

**Agriculture – Commercial Compost – Prohibition on Per Ton Inspection Fee**

**HB0954/780611/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 954
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the semicolon, insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, in line 9, after the period, insert "It shall remain effective for a period of 3 years and, at the end of September 30, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1008 – Delegates Arentz, Ghrist, Jacobs, and Miller**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Valuation of Easement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1037 – Delegate Fraser–Hidalgo**

AN ACT concerning

**Condominiums and Homeowners Associations – Meeting Requirements**

**HB1037/130017/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1037
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "delivered" insert a comma; in the same line, strike "or"; in the same line, after "advertised" insert ", or posted"; in line 13, after "delivered" insert a comma; in the same line, strike "or"; and in line 14, after "advertised" insert ", or posted".

AMENDMENT NO. 2

On page 2, in line 29, strike "**OR**"; and in line 31, after "**LOCATED**" insert "**; OR**

**C. IF THE CONDOMINIUM HAS A WEBSITE, POSTED ON THE HOMEPAGE OF THE WEBSITE**".

On page 5, in line 1, strike "**OR**"; and in line 3, strike "**AND**" and substitute "**OR**

**C. IF THE HOMEOWNERS ASSOCIATION HAS A WEBSITE, POSTED ON THE HOMEPAGE OF THE WEBSITE; AND**".

AMENDMENT NO. 3

On page 2 in line 23 and on page 4 in line 26, in each instance, strike "**15**" and substitute "**10**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1123 – Delegates Fraser–Hidalgo, Cassilly, Barve, Gilchrist, Jacobs, Otto, Stein, and Wivell**

EMERGENCY BILL

AN ACT concerning

**Agriculture – Hemp Research and Production**

**HB1123/730314/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1123
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL".

On page 2, in lines 1 and 2, strike "making this Act an emergency measure;".

AMENDMENT NO. 2

On page 12, strike beginning with "is" in line 10 down through "enacted" in line 14 and substitute "shall take effect June 1, 2019".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 9**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 421 – Delegates Love, Acevero, Atterbeary, B. Barnes, Barron, Boyce, Bridges, Carr, Charkoudian, Clippinger, Cullison, Ebersole, Feldmark, Gilchrist, Hettleman, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, Lierman, Lopez, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnyk, Qi, Queen, Reznik, Shetty, Solomon, Stewart, Terrasa, Valderrama, Wells, and K. Young**

AN ACT concerning

**Vehicle Laws – Licenses, Identification Cards, and Moped Operator's Permits – Indication of Applicant's Sex**

**HB0421/210519/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 421
(First Reading File Bill)

On page 3, in line 7, after "**UNSPECIFIED**" insert "**OR OTHER**"; and in line 10, after "**UNSPECIFIED**" insert "**OR OTHER**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**Senate Bill 196 – Senators Smith, Carter, Elfreth, Ellis, Ferguson, Guzzone, Kagan, Lee, Pinsky, Rosapepe, Waldstreicher, Washington, West, Young, Zirkin, ~~and Zucker~~ Zucker, and Kramer**

AN ACT concerning

**Vehicle Laws – Licenses, Identification Cards, and Moped Operator's Permits – Indication of Applicant's Sex**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 7

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 349 – Delegates Jacobs, Adams, Arentz, Ghrist, and Hornberger**

AN ACT concerning

**Limited Fishing Guide License – Payment for Service – Alteration**

**HB0349/910518/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 349
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Hornberger" and substitute "Hornberger, Cassilly, and Love"; in line 2, strike "Limited Fishing Guide License" and substitute "Natural Resources"; in the same line, strike "Payment for Service" and substitute "Special Charter Boat License"; strike beginning with "authorizing" in line 3 down through "licenses" in line 7 and substitute "specifying that a certain special charter boat license issued by the Department of Natural Resources is valid for certain individuals on a single vessel operated by a certain licensed fishing guide and for certain individuals on a vessel under the guidance of a certain licensed fishing guide in tidal waters of the State; and generally relating to special charter boat licenses"; and in line 10, strike "4–210" and substitute "4–745(d)(1)".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 16 on page 1 through line 20 on page 3, and substitute:

"4–745.

(d) (1) The Department may provide by regulation for issuance of a special charter boat license that shall be effective for not more than 1 year and shall expire on August 31 and that would be valid for all individuals on a **[**charter boat**]** **SINGLE VESSEL**

operated by a **[**licensed**]** fishing guide **LICENSED UNDER § 4–210.1 OR § 4–701 OF THIS TITLE OR FOR ALL INDIVIDUALS ON A VESSEL UNDER THE GUIDANCE OF A FISHING GUIDE LICENSED UNDER § 4–210 OF THIS TITLE** in tidal waters of the State. The fee shall be:

(i) For 6 fishermen or less ..... $240.

(ii) For 7 or more fishermen .....$290.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 417 – Delegates Hill, Acevero, Bartlett, Boyce, Bromwell, Brooks, Ebersole, Feldmark, Fraser–Hidalgo, Grammer, Jalisi, Lafferty, R. Lewis, Lierman, Long, Patterson, Stein, Sydnor, Terrasa, C. Watson, Wells, and P. Young**

AN ACT concerning

**Water Pollution Control – Public Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration**

**HB0417/520315/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 417
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Bridges, Cassilly, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Lehman, Love, Otto, Proctor, and Stewart"; in line 2, strike "Public"; in line 4, after the first "of" insert "repealing a requirement that a certain report of a sewer overflow or treatment plant bypass provided to the Department of the Environment by an owner or operator of certain sewer systems or wastewater treatment plants be made by telephone;"; strike beginning with "authorizing"

in line 9 down through "circumstances;" in line 11; and in line 12, after "change;" insert "making a conforming change;".

AMENDMENT NO. 2

On page 2, in line 3, strike "by telephone"; in line 5, strike "the telephone"; in line 8, strike "**PARAGRAPHS**" and substitute "**PARAGRAPH**"; in the same line, strike "**AND (3)**"; strike line 16 in its entirety; in lines 17 and 27, strike "**(II)**" and "**(III)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in lines 17 and 18, strike "**IN SPANISH AND ENGLISH**"; after line 18, insert:

"**1. IN SPANISH AND ENGLISH AT THE LOCATION OF THE SEWER OVERFLOW OR TREATMENT PLANT BYPASS;**";

in lines 19 and 22, strike "**1.**" and "**2.**", respectively, and substitute "**2.**" and "**3.**", respectively; in line 21, after the semicolon insert "**AND**"; in line 23, strike "**DEPARTMENT, MARYLAND DEPARTMENT OF HEALTH, OR**"; and strike in their entirety lines 25 and 26.

On page 3, strike in their entirety lines 4 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 511 – Delegate Cassilly**

AN ACT concerning

**Maryland Commercial Fertilizer Law – Definition of Soil Conditioner – Alteration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 539 – Delegate Cassilly**

AN ACT concerning

**Environment – Reuse of Water Diverted From Septic Systems**

**HB0539/400817/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 539
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Cassilly" and substitute "Delegates Cassilly and Wivell"; in line 4, strike "an" and substitute "a residential"; and in the same line, after "system," insert "and that does not contain certain constituents,".

AMENDMENT NO. 2

On page 1, in line 18, strike "**IS**"; in line 19, strike "**GENERATED**" and substitute "**IS GENERATED**"; in line 20, after "**ON–SITE**" insert "**POTABLE**"; and in line 22, strike "**AND**".

On page 2, in line 1, strike "**COLLECTED**" and substitute "**IS COLLECTED**"; in the same line, strike "**AN**" and substitute "**A RESIDENTIAL**"; in line 2, after "**SYSTEM**" insert "**; AND**

**(3) CONTAINS NO CONSTITUENTS THAT ARE DETRIMENTAL TO PUBLIC HEALTH OR THE ENVIRONMENT**";

in line 7, after "**WATERING;**" insert "**AND**"; in line 8, strike "**; AND**"; and in line 9, strike "**(V) FLUSHING OF A CONVENTIONAL TOILET OR URINAL**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 562 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Sale of Residential Real Property – Septic Systems Outreach Toolkit**

**MC 16–19**

**HB0562/150716/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 562
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 5 down through "purchaser;" in line 8 and substitute "requiring a contract for the sale of residential real property in Montgomery County to contain a provision that provides certain notice of a certain Septic Systems Outreach Toolkit; requiring a certain contract provision to be independently initialed by the purchaser; providing that the failure to comply with certain requirements does not void a certain contract;"; and in line 12, after "10–711" insert "and 14–117(n)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 9, inclusive, and substitute:

"**(B) IN MONTGOMERY COUNTY, A CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY SHALL INCLUDE A PROVISION THAT PROVIDES NOTICE OF THE SEPTIC SYSTEMS OUTREACH TOOLKIT AVAILABLE THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE, INCLUDING AN INTERNET ADDRESS THAT LINKS TO THE SEPTIC SYSTEMS OUTREACH TOOLKIT.**

**(C) THE CONTRACT PROVISION REQUIRED IN SUBSECTION (B) OF THIS SECTION SHALL BE INDEPENDENTLY INITIALED BY THE PURCHASER.**

**(D) THE FAILURE OF A VENDOR TO INCLUDE, OR FOR THE PURCHASER TO INITIAL, THE CONTRACT PROVISION REQUIRED IN SUBSECTION (B) OF THIS SECTION IN A CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY MAY NOT VOID THE CONTRACT.**

14–117.

**(N) (1) THIS SUBSECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

**(2) A CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY SHALL CONTAIN A PROVISION, AS DESCRIBED IN § 10–711 OF THIS ARTICLE, THAT PROVIDES NOTICE OF THE SEPTIC SYSTEMS OUTREACH TOOLKIT AVAILABLE THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE, INCLUDING AN INTERNET ADDRESS THAT LINKS TO THE SEPTIC SYSTEMS OUTREACH TOOLKIT.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 672 – Delegates Valentino–Smith, P. Young, D. Barnes, Barron, Brooks, Hettleman, Holmes, Jackson, Krimm, Pena–Melnyk, R. Watson, and Wilson**

AN ACT concerning

**Housing – Local Housing Grant Program for Homeless Veterans and Survivors of Domestic Violence**

**HB0672/120612/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 672
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Attar, Boyce, Cassilly, Ciliberti, Fraser–Hidalgo, Harrison, Healey, Jalisi, Lehman, Love, Stewart, and Wells"; and in line 11, strike "at least a certain amount of money" and substitute "funding".

AMENDMENT NO. 2

On page 2, in line 23, strike "**AT LEAST $2,000,000**" and substitute "**FUNDING**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 728 – Delegates Beitzel, Buckel, Hornberger, Kittleman, Krebs, McComas, Shoemaker, and Szeliga**

AN ACT concerning

**State Parks and Forests – Hunting – Use of Off–Road Vehicles**

**HB0728/950615/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 728

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Szeliga" and substitute "Szeliga, Ciliberti, and Otto"; in line 3, after "authorizing" insert ", on or after a certain date,"; in line 4, strike "game" and substitute "certain white–tailed deer and black bear"; in the same line, after "season" insert "on roads or trails"; and in line 7, after "regulations;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, in line 27, after the comma insert "**ON OR AFTER JULY 1, 2020,**"; in line 28, strike "**GAME**" and substitute "**WHITE–TAILED DEER AND BLACK BEAR THAT HAS BEEN REDUCED TO PERSONAL POSSESSION**"; in line 29, after "**SEASON**" insert "**ON ROADS OR TRAILS**"; and in line 33, strike "**GAME**" and substitute "**WHITE–TAILED DEER AND BLACK BEAR**".

On page 3, in line 24, strike "**GAME**" and substitute "**WHITE–TAILED DEER AND BLACK BEAR**".

AMENDMENT NO. 3

On page 3, in line 27, after the period insert "It shall remain effective for a period of 3 years and, at the end of June 30, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 825 – Delegate Holmes**

AN ACT concerning

**Condominiums and Homeowners Associations – Amendments to Declarations and Governing Documents**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 841 – Delegates Clark and Morgan**

AN ACT concerning

**Aquaculture – Submerged Aquatic Vegetation – Placement of Shellfish, Bags, Nets, and Structures**

**HB0841/730416/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 841
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "vegetation" insert ", subject to certain requirements and limitations"; in line 7, after "Council" insert ", the Chesapeake Bay Program,"; and after line 15, insert:

"BY adding to
Article – Natural Resources
Section 4–11A–10(c–1)
Annotated Code of Maryland
(2018 Replacement Volume)".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"**(C–1) IN APPROVING THE PLACEMENT OF SHELLFISH, BAGS, NETS, OR STRUCTURES ON SUBMERGED AQUATIC VEGETATION UNDER SUBSECTION (C)(1) OF THIS SECTION, THE DEPARTMENT:**

**(1) MAY NOT AUTHORIZE HARVESTING BY DREDGE IN AREAS WHERE SUBMERGED AQUATIC VEGETATION IS PRESENT;**

**(2) SHALL AUTHORIZE FOR WATER COLUMN LEASES THE PLACEMENT OF SHELLFISH, BAGS, NETS, OR STRUCTURES IN AT LEAST 10% OF THE AREA WHERE SUBMERGED AQUATIC VEGETATION IS PRESENT; AND**

**(3) SHALL AUTHORIZE HARVEST BY DIVING IN AREAS ON ANY SUBMERGED LAND LEASE WHERE SUBMERGED AQUATIC VEGETATION IS PRESENT.**";

in line 8, after "Council" insert ", the Chesapeake Bay Program,"; in line 10, strike "impact" and substitute "farm–level and cumulative impacts"; in line 11, strike "without" and substitute "with"; in line 14, after "area" insert "and the species, density, and aerial extent of submerged aquatic vegetation in those leases"; in the same line, strike "and"; and in line 15, after "(3)" insert "characteristics of gear types and the nature and frequency of aquaculture practices used on leases where submerged aquatic vegetation is present; and

(4)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 6

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 124 – Delegates K. Young, Healey, Bartlett, Bhandari, Brooks, Ebersole, Feldmark, Jalisi, Jones, Kelly, Kerr, Krimm, R. Lewis, Pendergrass, Shetty, Terrasa, and C. Watson**

AN ACT concerning

**Tanning Devices – Use by Minors**

**HB0124/846487/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 124
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, in each instance, strike "physician" and substitute "certain health care practitioner"; in line 11, strike "physician to prescribe to" and substitute "prescription to be written for"; and in the same line, after "minor" insert "for".

AMENDMENT NO. 2

On page 2, in line 9, in each instance, strike "**PHYSICIAN**" and substitute "**HEALTH CARE PRACTITIONER ACTING WITHIN THE SCOPE OF THE LICENSE OF THE HEALTH CARE PRACTITIONER**"; and in line 11, strike "**PHYSICIAN TO PRESCRIBE TO A MINOR**" and substitute "**PRESCRIPTION TO BE WRITTEN FOR A MINOR FOR**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 127 – Delegate Kelly**

AN ACT concerning

**Health Insurance – Health Benefit Plans – Special Enrollment Period for Pregnancy**

**HB0127/656082/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kelly" and substitute "Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, and K. Young"; and in line 9, after "Act;" insert "requiring the Maryland Health Benefit Exchange to report to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, in lines 29 and 31, in each instance, strike "**CERTIFIED**" and substitute "**CONFIRMED**".

On page 3, strike in their entirety lines 9 through 12, inclusive, and substitute:

"**(I) BE OPEN FOR A PERIOD OF 90 DAYS; AND**

**(II) BEGIN ON THE DATE A HEALTH CARE PRACTITIONER CONFIRMS THE PREGNANCY.**".

On page 4, in line 9, strike "**NOT LATER THAN**" and substitute "**ON**"; and in line 10, strike "**CERTIFICATION**" and substitute "**CONFIRMATION**".

AMENDMENT NO. 3

On page 5, in lines 23 and 30, in each instance, strike "**CERTIFIED**" and substitute "**CONFIRMED**"; in line 32, strike "**THE**" and substitute "**A**"; in the same line, strike

"**PERIODS**" and substitute "**PERIOD**"; and in the same line, strike "**SUBSECTIONS**" and substitute "**SUBSECTION**".

On page 6, in line 1, strike "**AND**" and substitute "**OR**"; strike in their entirety lines 2 through 5, inclusive, and substitute:

"**(1) BE OPEN FOR A PERIOD OF 90 DAYS; AND**

**(2) BEGIN ON THE DATE THE HEALTH CARE PRACTITIONER CONFIRMS THE PREGNANCY.**";

in line 12, strike "**ONE OF THE**" and substitute "**A**"; in the same line, strike "**PERIODS**" and substitute "**PERIOD**"; in line 13, strike "**SUBSECTIONS**" and substitute "**SUBSECTION**"; in the same line, strike "**AND**" and substitute "**OR**"; in line 14, strike "**NOT LATER THAN**" and substitute "**ON**"; in line 15, strike "**ENROLLED IN COVERAGE**"; and in the same line, strike "**CERTIFICATION**" and substitute "**CONFIRMATION**".

AMENDMENT NO. 4

On page 7, after line 25, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 1, 2022, the Maryland Health Benefit Exchange shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the use of the special enrollment periods as enacted by Section 1 of this Act.";

and in line 26, strike "4." and substitute "5.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 284 – Delegates J. Lewis, Carey, W. Fisher, Ivey, Luedtke, Washington, and Wilkins**

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification**
**(Small and Minority Business Certification Streamlining Act of 2019)**

**HB0284/296585/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 284
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, and K. Young"; in line 7, after "adopt" insert "certain"; and in the same line, after "regulations" insert ", on or before a certain date,".

AMENDMENT NO. 2

On page 5, after line 21, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of General Services, the Secretary of Transportation, the Chancellor of the University System of Maryland, and the President of Morgan State University shall adopt the regulations required under this Act on or before June 1, 2020.";

and in line 22, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 332 – Delegate McKay**

AN ACT concerning

**Maryland Department of Health – Community Dental Clinics Grant Program**

**HB0332/536489/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 332
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate McKay" and substitute "Delegates McKay, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Rosenberg, Sample–Hughes, and K. Young".

On page 3, in line 11, strike "**§ 24–1306**" and substitute "**§ 24–1606**".

AMENDMENT NO. 2

On page 4, in line 29, strike "**50%**" and substitute "**75%**".

On page 5, in line 6, strike "**75%**" and substitute "**90%**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 427 – Delegates Barron, Hill, and Kipke**

AN ACT concerning

**Behavioral Health Administration – Outpatient Civil Commitment – Statewide Expansion**

**HB0427/576986/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 427
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Kipke" and substitute "Kipke, Pena–Melnyk, Cullison, Metzgar, Charles, Sample–Hughes, K. Young, Johnson, and Rosenberg"; in line 2, after "Commitment" insert "Pilot Program"; in lines 2 and 3, strike "Statewide Expansion" and substitute "Revisions"; strike beginning with "repealing" in line 4 down through "year" in line 18 and substitute "requiring the Behavioral Health Administration to allow an eligible individual to request enrollment into a certain outpatient civil commitment pilot program; requiring the Administration to allow an immediate family member of an eligible individual to request that the individual be voluntarily enrolled into a certain outpatient civil commitment pilot program; making conforming and technical changes"; in line 18, strike "a statewide" and substitute "an"; and in the same line, after "commitment" insert "pilot".

AMENDMENT NO. 2

On page 2, in lines 18, 19, 21, and 30, in each instance, strike the bracket; in line 18, strike "**(1)**"; in the same line, strike "**SHALL**"; in the same line, strike "**A STATEWIDE**"; strike in their entirety lines 22 through 29, inclusive; and in line 34, strike the second "and".

On page 3, in line 2, after "program" insert "**;**

**(4) ALLOW AN ELIGIBLE INDIVIDUAL TO REQUEST ENROLLMENT INTO THE PILOT PROGRAM; AND**

**(5) ALLOW AN IMMEDIATE FAMILY MEMBER OF AN ELIGIBLE INDIVIDUAL TO REQUEST THAT THE INDIVIDUAL BE VOLUNTARILY ENROLLED INTO THE PILOT PROGRAM**";

and in the same line, strike the bracket.

On pages 3 and 4, strike in their entirety the lines beginning with line 3 on page 3 through line 26 on page 4, inclusive.

On page 4, in lines 27 and 28, in each instance, strike the bracket; in line 27, strike "**(D)**"; in line 28, strike "**ON**"; and in lines 31 and 32, strike "**, FOR EACH LOCAL BEHAVIORAL HEALTH AUTHORITY PARTICIPATING IN THE PROGRAM**".

On page 5, in lines 1, 3, 5, 9, 10, 13, and 16, in each instance, strike the bracket; in line 15, strike the first set of brackets; in the same line, strike "**THE**"; in line 16, strike "**CONTINUED**"; strike in their entirety lines 17 through 21, inclusive; and in line 22, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 571 – Delegates Sample–Hughes, Anderson, Barron, Crutchfield, Hill, Krebs, Patterson, and Pena–Melnyk**

AN ACT concerning

**Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Revisions**

**HB0571/876886/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 571
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Pena–Melnyk" and substitute "Pena–Melnyk, Pendergrass, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young".

AMENDMENT NO. 2

On page 1, in line 3, after the third "the" insert "Virginia I. Jones Alzheimer's Disease and Related Disorders"; in the same line, after "Council;" insert "repealing the requirement that the Secretary of Health and the Secretary of Aging, or their designees, cochair the Council; requiring the members of the Council to select the chair of the Council;"; in line 14, strike ", 13–3204,"; and in line 19, after "13–3203" insert ", 13–3204,".

AMENDMENT NO. 3

On page 4, in lines 17 and 18, strike "Secretary of Health and the Secretary of Aging, or their designees, shall cochair" and substitute "**MEMBERS OF THE COUNCIL SHALL SELECT THE CHAIR OF**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 583 – Delegates Wilkins, Crosby, Ebersole, Hettleman, Hill, Ivey, Jalisi, Lehman, R. Lewis, Queen, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Valentino–Smith, Wilson, and K. Young**

AN ACT concerning

**Health – Maternal Mortality Review Program – Reporting Requirement**

**HB0583/296882/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 583
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and K. Young" and substitute "K. Young, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, Krebs, Metzgar, Morgan, Rosenberg, Saab, and Szeliga"; in line 2, after "Program –" insert "Recommendations and"; in line 3, after the first "of" insert "requiring the Maternal Mortality Review Program, in consultation with the Office of Minority Health and Health Disparities, to make recommendations to reduce any disparities in the maternal mortality rate;"; and in line 9, after "Section" insert "13–1204 and".

AMENDMENT NO. 2

On page 1, after line 14, insert:

"13–1204.

(a) The Secretary may contract with the Faculty to administer the Maternal Mortality Review Program.

(b) In consultation with the maternal child health committee of a faculty, the Secretary shall develop a system to:

(1) Identify maternal death cases;

(2) Review medical records and other relevant data;

(3) Contact family members and other affected or involved persons to collect additional relevant data;

(4) Consult with relevant experts to evaluate the records and data collected;

(5) Make determinations regarding the preventability of maternal deaths;

(6) Develop recommendations for the prevention of maternal deaths; and

(7) Disseminate findings and recommendations to policy makers, health care providers, health care facilities, and the general public.

(c) In accordance with § 4–221 of this article and notwithstanding § 4–224 of this article, the Secretary may provide the Program with a copy of the death certificate of any woman whose death is suspected to have been a maternal death.

**(D) THE MATERNAL MORTALITY REVIEW PROGRAM, IN CONSULTATION WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, SHALL MAKE RECOMMENDATIONS TO REDUCE ANY DISPARITIES IN THE MATERNAL MORTALITY RATE INCLUDING RECOMMENDATIONS RELATED TO SOCIAL DETERMINANTS OF HEALTH.**".

On page 2, in line 8, strike the second "**AND**"; and in line 10, after "**ETHNICITY**" insert "**;**

**(III) THE NUMBER OF LIVE BIRTHS BY RACE;**

**(IV) THE PERCENTAGE OF WOMEN WHO GAVE BIRTH BY RACE;**

**(V) THE PERCENTAGE OF MATERNAL DEATHS BY RACE AND ETHNICITY;**

**(VI) THE MATERNAL MORTALITY RATE BY RACE;**

**(VII) A COMPARISON OF THE LEADING CAUSES OF MATERNAL DEATH BY RACE; AND**

**(VIII) ANY OTHER INFORMATION THAT THE SECRETARY DETERMINES NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 588 – Delegate Hettleman**

AN ACT concerning

**Continuing Care Retirement Communities – Mediation – Representation by Counsel**

**HB0588/596785/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 588
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Hettleman" and substitute "Delegates Hettleman, C. Watson, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 648 – Delegate Bagnall**

AN ACT concerning

**Interstate Physical Therapy Licensure Compact**

**HB0648/796088/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 648
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Bagnall" and substitute "Delegates Bagnall, Barron, Bhandari, Charles, Chisholm, Hill, Krebs, Metzgar, Morgan, Pena–Melnyk, and Saab"; and in line 5, after "Compact;" insert "requiring the State Board of Physical Therapy Examiners to charge a certain fee;".

AMENDMENT NO. 2

On page 6, in line 3, after "**(D)**" insert "**(1)**"; in the same line, strike "**MEMBER**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, MEMBER**"; and after line 4, insert:

"**(2) THE BOARD SHALL CHARGE A FEE FOR GRANTING A COMPACT PRIVILEGE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 898 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Kipke, Krebs, Lisanti, Reilly, Szeliga, Terrasa, and Turner**

AN ACT concerning

**Trusts – Maryland Trust Act – Methods of Notice**

**HB0898/266986/1**
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 898
(First Reading File Bill)

On page 3, in line 8, strike the second "or"; in line 10, after "trust" insert "**; OR**

**7. THE NOTICE REQUIRED TO BE GIVEN TO A QUALIFIED BENEFICIARY UNDER § 14.5–813 OF THIS TITLE**";

in line 20, strike "**OR**"; and in line 23, after "**TRANSMISSION**" insert "**; OR**

**C. BY E–MAIL, ACKNOWLEDGMENT REQUESTED**".

On page 5, in line 1, after "locations" insert "**OR DELIVERY ADDRESSES**"; and in line 9, after "location" insert "**OR DELIVERY ADDRESS**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1248 – Delegates Bartlett, Atterbeary, W. Fisher, Lopez, and Shetty**

AN ACT concerning

**Criminal Procedure – Sexual Assault Evidence Kits – Privacy and Reimbursement**

**HB1248/786989/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1248
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Shetty" and substitute "Shetty, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; and in line 6, after "to" insert "sexual assault".

AMENDMENT NO. 2

On page 2, in line 27, after "**AND**" insert "**SEXUAL ASSAULT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 6**

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 1212 – Delegates McComas, Arikan, Buckel, Clark, Corderman, Grammer, Hartman, Hettleman, Hornberger, Kittleman, Krebs, Malone, Saab, and Shoemaker**

AN ACT concerning

**Family Law – Kinship Caregivers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 7

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 135 – Delegates Moon, Malone, Atterbeary, Chang, Crutchfield, Cullison, Fraser–Hidalgo, Guyton, Hettleman, Hill, Jalisi, Kaiser, Kelly, Kipke, Lisanti, Luedtke, McKay, Parrott, Rose, Shetty, Shoemaker, Stein, Stewart, Sydnor, Valderrama, and K. Young**

AN ACT concerning

**Criminal Law – Cruelty to Animals – Seizure and Removal**

**HB0135/252315/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 135
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and K. Young" and substitute "K. Young, and Cardin"; and in line 2, strike "Seizure and Removal" and substitute "Payment of Costs".

On pages 1 and 2, strike beginning with "requiring" in line 3 on page 1 down through "changes;" in line 6 on page 2 and substitute "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;".

On page 2, in line 10, strike "10–615" and substitute "10–604, 10–607, and 10–608"; and after line 12, insert:

"BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–606
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

(As enacted by Chapter 238 of the Acts of the General Assembly of 2018)".

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 16 on page 2 through line 28 on page 6, inclusive, and substitute:

"10–604.

(a) A person may not:

(1) overdrive or overload an animal;

(2) deprive an animal of necessary sustenance;

(3) inflict unnecessary suffering or pain on an animal;

(4) cause, procure, or authorize an act prohibited under item (1), (2), or (3) of this subsection; or

(5) if the person has charge or custody of an animal, as owner or otherwise, unnecessarily fail to provide the animal with:

(i) nutritious food in sufficient quantity;

(ii) necessary veterinary care;

(iii) proper drink;

(iv) proper air;

(v) proper space;

(vi) proper shelter; or

(vii) proper protection from the weather.

(b) (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding $1,000 or both.

(2) As a condition of sentencing, the court may order a defendant convicted of violating this section to**:**

**(I)** participate in and pay for psychological counseling**; AND**

**(II) 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**.

(3) As a condition of probation, the court may prohibit a defendant from owning, possessing, or residing with an animal.

10–606.

(a) A person may not:

(1) intentionally:

(i) mutilate;

(ii) torture;

(iii) cruelly beat; or

(iv) cruelly kill an animal;

(2) cause, procure, or authorize an act prohibited under item (1) of this subsection; or

(3) except in the case of self–defense, intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit.

(b) (1) A person who violates this section is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

(2) As a condition of sentencing, the court may:

(i) order a defendant convicted of violating this section to**:**

**1.** participate in and pay for psychological counseling; **AND**

**2. 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

(ii) prohibit a defendant from owning, possessing, or residing with an animal for a specified period of time.

10–607.

(a) In this section, "baiting" means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

(b) A person may not:

(1) use or allow a dog to be used in a dogfight or for baiting;

(2) arrange or conduct a dogfight;

(3) possess, own, sell, transport, or train a dog with the intent to use the dog in a dogfight or for baiting; or

(4) knowingly allow premises under the person's ownership, charge, or control to be used to conduct a dogfight or for baiting.

(c) (1) A person who violates this section is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

(2) As a condition of sentencing, the court may:

(i) order a defendant convicted of violating this section to**:**

**1.** participate in and pay for psychological counseling; **AND**

**2. 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

(ii) prohibit a defendant from owning, possessing, or residing with an animal for a specified period of time.

10–608.

(a) (1) In this section, "implement of cockfighting" means any implement or device intended or designed:

(i) to enhance the fighting ability of a fowl, cock, or other bird; or

(ii) for use in a deliberately conducted event that uses a fowl, cock, or other bird to fight with another fowl, cock, or other bird.

(2) "Implement of cockfighting" includes:

(i) a gaff;

(ii) a slasher;

(iii) a postiza;

(iv) a sparring muff; and

(v) any other sharp implement designed to be attached in place of the natural spur of a gamecock or other fighting bird.

(b) A person may not:

(1) use or allow the use of a fowl, cock, or other bird to fight with another animal;

(2) possess, with the intent to unlawfully use, an implement of cockfighting;

(3) arrange or conduct a fight in which a fowl, cock, or other bird fights with another fowl, cock, or other bird;

(4) possess, own, sell, transport, or train a fowl, cock, or other bird with the intent to use the fowl, cock, or other bird in a cockfight; or

(5) knowingly allow premises under the person's ownership, charge, or control to be used to conduct a fight in which a fowl, cock, or other bird fights with another fowl, cock, or other bird.

(c) (1) A person who violates this section is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

(2) As a condition of sentencing, the court may:

(i) order a defendant convicted of violating this section to**:**

**1.** participate in and pay for psychological counseling; **AND**

**2. 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

(ii) prohibit a defendant from owning, possessing, or residing with an animal for a specified period of time.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 181 – Delegates Cardin, Atterbeary, Attar, Boyce, Bromwell, Brooks, Ebersole, Guyton, Hettleman, Ivey, Jalisi, Jones, Kerr, Kipke, Krebs, Malone, McComas, McKay, Patterson, Rosenberg, Stein, Terrasa, Valderrama, and C. Watson**

AN ACT concerning

**Criminal Law – Electronic Harassment and Bullying**
**(Grace's Law 2.0)**

**HB0181/732611/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 181
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and C. Watson" and substitute "C. Watson, Kittleman, Arikan, Bartlett, Cox, W. Fisher, Grammer, Hartman, Lopez, Pippy, Shetty, and R. Watson"; in line 5, after "in" insert "an"; strike beginning with "under" in line 5 down through "circumstances" in line 6 and substitute "if the electronic communication, as part of a series of communications, has a certain effect and the person engaging in the electronic communication acts"; in line 6, after "person" insert "with a certain intent"; in line 7, after "act" insert "under certain circumstances"; in line 8, strike "result" and substitute "effect"; strike beginning with "prohibiting" in line 8 down through "minor;" in line 12 and substitute "prohibiting a person from engaging in certain electronic conduct with a certain intent if the act of electronic conduct has a certain effect;"; and in line 16, after "terms;" insert "altering a certain definition;".

AMENDMENT NO. 2

On page 2, in lines 10, 13, and 32, in each instance, strike the bracket.

On page 3, in line 6, strike the bracket.

AMENDMENT NO. 3

On page 2, in line 3, strike "transmission of" and substitute "**ACT OF TRANSMITTING**"; in line 4, strike "**SIGN, SIGNAL,**"; in the same line, strike "**SOUND, INTELLIGENCE,**"; after line 9, insert:

"**(3) "ELECTRONIC CONDUCT" MEANS THE USE OF A COMPUTER OR A COMPUTER NETWORK TO:**

**(I) BUILD A FAKE SOCIAL MEDIA PROFILE;**

**(II) POSE AS ANOTHER, INCLUDING A FICTITIOUS PERSON IN AN ELECTRONIC COMMUNICATION;**

**(III) DISSEMINATE OR ENCOURAGE OTHERS TO DISSEMINATE INFORMATION CONCERNING THE SEXUAL ACTIVITY, AS DEFINED IN § 3–809 OF THIS SUBTITLE, OF A MINOR;**

**(IV) DISSEMINATE A REAL OR DOCTORED IMAGE OF A MINOR;**

**(V) ENGAGE OR ENCOURAGE OTHERS TO ENGAGE IN THE REPEATED, CONTINUING, OR SUSTAINED USE OF ELECTRONIC COMMUNICATION TO CONTACT A MINOR;**

**(VI) MAKE A STATEMENT TO PROVOKE A THIRD PARTY TO STALK OR HARASS A MINOR; OR**

**(VII) SUBSCRIBE A MINOR TO A PORNOGRAPHIC WEBSITE.**

**(4) "INSTANT MESSAGING SERVICE" MEANS A COMPUTER SERVICE ALLOWING TWO OR MORE USERS TO COMMUNICATE WITH EACH OTHER IN REAL TIME.**";

in lines 10, 17, and 24, strike "(3)", "**(4)**", and "**(5)**", respectively, and substitute "**(5)**", "**(6)**", and "**(7)**", respectively; strike in their entirety lines 14 through 16, inclusive; and in line 17, strike "**COMPUTER SYSTEM,**".

AMENDMENT NO. 4

On pages 3 through 5, strike in their entirety the lines beginning with line 7 on page 3 through line 1 on page 5, inclusive.

AMENDMENT NO. 5

On page 5, before line 2, insert:

"**(3) A PERSON MAY NOT MALICIOUSLY ENGAGE IN AN ELECTRONIC COMMUNICATION IF:**

**(I) THE ELECTRONIC COMMUNICATION IS PART OF A SERIES OF COMMUNICATIONS AND HAS THE EFFECT OF:**

**1. INTIMIDATING OR HARASSING A MINOR; AND**

**2. CAUSING PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO A MINOR; AND**

**(II) THE PERSON ENGAGING IN THE ELECTRONIC COMMUNICATION INTENDS TO:**

**1. INTIMIDATE OR HARASS THE MINOR; AND**

**2. CAUSE PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO THE MINOR.**

**(4) A PERSON MAY NOT MALICIOUSLY ENGAGE IN A SINGLE SIGNIFICANT ACT OR COURSE OF CONDUCT USING AN ELECTRONIC COMMUNICATION IF:**

**(I) THE PERSON'S CONDUCT, WHEN CONSIDERED IN ITS ENTIRETY, HAS THE EFFECT OF:**

**1. INTIMIDATING OR HARASSING A MINOR; AND**

**2. CAUSING PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO A MINOR;**

**(II) THE PERSON INTENDS TO:**

**1. INTIMIDATE OR HARASS THE MINOR; AND**

**2. CAUSE PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO THE MINOR; AND**

**(III) IN THE CASE OF A SINGLE SIGNIFICANT ACT, THE COMMUNICATION:**

**1. IS MADE AFTER RECEIVING A REASONABLE WARNING OR REQUEST TO STOP;**

**2. IS SENT WITH A REASONABLE EXPECTATION THAT THE RECIPIENT WOULD SHARE THE COMMUNICATION WITH A THIRD PARTY; OR**

**3. SHOCKS THE CONSCIENCE.**

**(5) A PERSON MAY NOT MALICIOUSLY ENGAGE IN ELECTRONIC CONDUCT IF:**

**(I) THE ACT OF ELECTRONIC CONDUCT HAS THE EFFECT OF:**

**1. INTIMIDATING OR HARASSING A MINOR; AND**

**2. CAUSING PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO A MINOR; AND**

**(II) THE PERSON INTENDS TO:**

**1. INTIMIDATE OR HARASS THE MINOR; AND**

**2. CAUSE PHYSICAL INJURY OR SERIOUS EMOTIONAL DISTRESS TO THE MINOR.**

**(6) A PERSON MAY NOT VIOLATE THIS SECTION WITH THE INTENT TO INDUCE A MINOR TO COMMIT SUICIDE.**".

On page 5, in line 18, strike "**(B)(1) THROUGH (5)**" and substitute "**(B)(1), (2), (3), (4), OR (5)**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 259 – Delegates Moon, J. Lewis, and Sydnor**

AN ACT concerning

**Criminal Procedure – Expungement – Boating Offenses**

**HB0259/962515/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 259
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Sydnor" and substitute "Sydnor, Hartman, and Cardin".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 274 – Delegates Barron and Dumais**

AN ACT concerning

**Justice Reinvestment Act – Diminution Credits – Sentencing**

**HB0274/772317/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 274
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "the" in line 4 down through "a" in line 6 and substitute "inmates who are sentenced or committed to custody on a finding of".

AMENDMENT NO. 2

On page 1, in line 16, strike the brackets; in the same line, strike "that" and substitute "**WHO**"; and strike beginning with "**THE**" in line 16 down through "**A**" in line 18 and substitute "**OR COMMITTED TO CUSTODY ON A FINDING OF**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 307 – Delegates Pena–Melnyk, Rosenberg, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Bridges, Brooks, Carey, Chang, Charkoudian, Charles, Conaway, D.E. Davis, Fennell, W. Fisher, Gaines, Glenn, Harrison, Haynes, Hettleman, Hill, Holmes, Howard, Ivey, Jackson, Kipke, Lehman, J. Lewis, R. Lewis, Lierman, Love, Malone, McIntosh, Moon, Mosby, Patterson, Proctor, Queen, Rogers, Saab, Sample–Hughes, Shetty, Smith, Stein, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wells, and Wilkins**

AN ACT concerning

**Maryland Lynching Truth and Reconciliation Commission**

**HB0307/802419/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 307

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Cox, Cardin, Lopez, Crutchfield, McComas, and Arikan"; and in line 9, strike "investigate" and substitute "research".

AMENDMENT NO. 2

On page 1, in line 17, strike "African American men" and substitute "African Americans".

On page 2, strike beginning with "one" in line 16 down through "House" in line 19 and substitute "the Chair of the Commission on Civil Rights, or the Chair's designee"; and in lines 20, 21, 23, 25, 27, 29, and 31, strike "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively, and substitute "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", and "(8)", respectively.

On page 3, in lines 2, 4, 6, and 12, strike "(10)", "(11)", "(12)", and "(13)", respectively, and substitute "(9)", "(10)", "(11)", and "(12)", respectively; in line 16, strike "The Maryland State Archives" and substitute "Bowie State University, in consultation with the Maryland Lynching Memorial Project,"; in line 28, after "hold" insert "regional"; and in the same line, strike "each county" and substitute "areas".

On page 4, in line 9, strike "investigate" and substitute "research".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 424 – Delegate Corderman**

AN ACT concerning

**Washington County – Disposition of Marriage Ceremony Fee**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 625 – Delegate Clippinger**

AN ACT concerning

**Baltimore Police Department – Commission to Restore Trust in Policing – Extension and Funding**

**HB0625/662816/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 625
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Extension and Funding" and substitute "Alterations"; in line 4, after "of" insert "altering a certain requirement regarding the confidentiality of certain proceedings, testimony, and other evidence; prohibiting certain members and staff of the Commission to Restore Trust in Policing from being required to sign a certain confidentiality agreement;"; and in line 13, strike "(71)(m)" and substitute "(71)(h) and (m)".

AMENDMENT NO. 2

On page 2, after line 4, insert:

"(h) (1) Except as provided **[**in paragraph (2) of this subsection**]** **UNDER THE PUBLIC INFORMATION ACT AND THE OPEN MEETINGS ACT**, the proceedings, testimony, and any other evidence before the Commission are public information.

(2) **[**On a vote of five or more members of the Commission, proceedings, testimony, and any other evidence before the Commission that are protected from disclosure under the Public Information Act may be deemed confidential and privileged**]** **MEMBERS OF THE COMMISSION AND STAFF TO THE COMMISSION MAY NOT BE REQUIRED TO SIGN A CONFIDENTIALITY AGREEMENT TO RECEIVE DOCUMENTS OR FILES, INCLUDING PERSONNEL FILES, PROPERLY SUBPOENAED IN ACCORDANCE WITH THIS SECTION**.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 659 – Delegates Shetty, Jalisi, Atterbeary, Bagnall, Brooks, Cain, Cox, D.M. Davis, Dumais, W. Fisher, Fraser–Hidalgo, Healey, Hettleman,**

**Johnson, Korman, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Pena–Melnyk, Reznik, Solomon, Sydnor, Terrasa, and Wilkins**

AN ACT concerning

**Juvenile Law – Continued Detention – Minimum Age**

**HB0659/112113/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 659
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Bartlett, Cardin, Crutchfield, J. Lewis, and R. Watson"; and in line 5, after "violence" insert "or the child is likely to leave the jurisdiction of the court".

AMENDMENT NO. 2

On page 3, in line 14, strike the second "**THE**" and substitute "**:**

**(1) THE**";

and in line 16, after "**ARTICLE**" insert "**; OR**

**(2) THE CHILD IS LIKELY TO LEAVE THE JURISDICTION OF THE COURT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 874 – Delegates Barron, Sydnor, Branch, Brooks, Cardin, Fennell, Hettleman, Jackson, Moon, Sample–Hughes, and Valentino–Smith**

AN ACT concerning

**Criminal Procedure – Postconviction Review – State's Motion to Vacate**

**HB0874/912616/1**
BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 874
(First Reading File Bill)

On page 2, strike in their entirety lines 5 through 13, inclusive; in line 14, strike "**(4)**" and substitute "**(1)**"; strike in their entirety lines 20 and 21, and substitute:

"**(2) THE STATE PRESENTS INFORMATION THAT:**

**(I) JUSTIFIES VACATING THE CONVICTION OR PROBATION BEFORE JUDGMENT IN THE INTEREST OF JUSTICE AND FAIRNESS; OR**

**(II) CALLS INTO QUESTION THE INTEGRITY OF THE CONVICTION OR PROBATION BEFORE JUDGMENT.**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 968 – Delegates W. Fisher, J. Lewis, Crosby, Crutchfield, D.E. Davis, M. Fisher, Jackson, Kelly, Malone, Moon, Turner, and Valentino–Smith**

AN ACT concerning

**Criminal Injuries Compensation Board – Compensation to Claimants**

**HB0968/862517/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 968

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after "(b)(1)," insert "and".

AMENDMENT NO. 2

On page 3, in lines 20 and 24, in each instance, strike "**OR THE DEATH OF THE VICTIM**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1096 – Delegates Hettleman, Atterbeary, Barron, Buckel, Cain, Cardin, Charkoudian, Conaway, Dumais, W. Fisher, Gilchrist, Guyton, Healey, Ivey, Kelly, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Queen, Reznik, Shetty, Solomon, Sydnor, Terrasa, Valderrama, Valentino–Smith, C. Watson, and Wilkins**

AN ACT concerning

**Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis**

**HB1096/692311/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1096

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Palakovich Carr, Lopez, Grammer, Bartlett, Crutchfield, McComas, Pippy, Arikan, Cox, Anderson, Hartman, and Malone"; strike beginning with "given" in line 5 down through "commitment" in line 6 and substitute "informed that the victim may initiate a criminal complaint under certain circumstances; authorizing the termination or discontinuance of testing of a sexual assault evidence collection kit under certain circumstances"; in line 10, strike "within a certain number of days of receipt" and substitute "in a timely manner"; in

line 12, after "(CODIS);" insert "requiring a forensic laboratory to report to the Maryland Sexual Assault Evidence Kit Policy and Funding Committee annually regarding the duration necessary to complete testing of sexual assault evidence collection kits; prohibiting a certain use of a certain victim's DNA under certain circumstances;"; and in line 15, after "date;" insert "providing for a delayed effective date for certain provisions of this Act;".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 25 and 26; in lines 27 and 29, strike "**(4)**" and "**(5)**", respectively, and substitute "**(3)**" and "**(4)**", respectively; in line 29, strike "**IS CONTAINED**" and substitute "**HAS BEEN COLLECTED FOR ENTRY AS A CONVICTED OFFENDER FOR A QUALIFYING OFFENSE**"; in lines 31 and 32, strike "**ADMITTED TO CONSENSUAL SEX WITH THE VICTIM DURING THE INCIDENT**" and substitute "**HAS PLEADED GUILTY TO THE OFFENSE**"; and in line 32, strike "**FORENSIC EXAMINATION**" and substitute "**SEXUAL ASSAULT EVIDENCE COLLECTION KIT**".

On page 4, strike beginning with "**A**" in line 1 down through "**ACTION**" in line 4 and substitute:

"**(1) IF A VICTIM OF SEXUAL ASSAULT WISHES TO REMAIN ANONYMOUS AND NOT FILE A CRIMINAL COMPLAINT, THE VICTIM SHALL BE INFORMED THAT THE VICTIM MAY FILE A CRIMINAL COMPLAINT AT A FUTURE TIME.**

**(2) IF A PROVISION OF SUBSECTION (E) OF THIS SECTION IS DETERMINED TO BE SATISFIED AFTER THE SUBMISSION OF THE VICTIM'S SEXUAL ASSAULT EVIDENCE COLLECTION KIT FOR ANALYSIS, TESTING MAY BE TERMINATED OR NOT INITIATED**".

On page 4, in lines 8, 9, and 15, in each instance, after "**KIT**" insert "**AND ALL REQUESTED ASSOCIATED REFERENCE STANDARDS**"; in line 14, after "**(H)**" insert "**(1)**"; in line 16, strike "**WITHIN 150 DAYS OF RECEIPT**" and substitute "**IN A TIMELY MANNER**"; after line 16, insert:

"**(2) FORENSIC LABORATORIES SHALL REPORT ANNUALLY TO THE MARYLAND SEXUAL ASSAULT EVIDENCE KIT POLICY AND FUNDING COMMITTEE REGARDING THE DURATION REQUIRED TO COMPLETE TESTING, BEGINNING WITH**

**RECEIPT OF THE KIT UNTIL A REPORT IS PREPARED, OF EACH SEXUAL ASSAULT EVIDENCE COLLECTION KIT.**";

in line 17, after "**(I)**" insert "**(1)**"; and after line 18, insert:

"**(2) THE DNA COLLECTED FROM A VICTIM UNDER THIS SECTION MAY NOT BE USED FOR ANY PURPOSE EXCEPT AS AUTHORIZED BY THIS SECTION.**".

AMENDMENT NO. 3

On page 5, in line 17, strike "January 1, 2020." and substitute "December 1, 2019.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2020.";

in line 18, strike "3." and substitute "4."; in the same line, after "That" insert ", except as provided in Section 3 of this Act,"; and in line 19, strike "October 1, 2019" and substitute "June 1, 2019".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 7

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 128 – Senators Pinsky and King**

AN ACT concerning

**County Boards of Education – School Year – Start and End Dates**

**SB0128/835666/2**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 128
(Third Reading File Bill)

On page 1, at the top of the page, insert "EMERGENCY BILL"; strike line 2 in its entirety and substitute "Community Control of School Calendars Act"; strike beginning with "repealing" in line 3 down through "education" in line 8 and substitute "requiring county boards of education to annually set school year dates; removing a provision relating to extending the school year beyond June 15; requiring that a statement be mailed to voters under certain circumstances; making this Act an emergency measure; and generally relating to the school year"; in line 11, strike "7–103" and substitute "7–103(b)(1)(i)"; and after line 13, insert:

"BY repealing
Article – Education
Section 7–103(b)(3)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 7–103(g)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY renumbering
Article – Education
Section 7–103(b)(4) and (5), respectively
to be Section 7–103(b)(3) and (4), respectively
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)".

On pages 1 through 4, strike in their entirety the lines beginning with line 18 on page 1 through line 23 on page 4, and substitute:

"(b) (1) If a county board submits a written application to the State Board that describes a demonstrated effort by the county board to comply with subsection (a) of this section, the State Board may permit:

(i) The following adjustments:

1. An increase in the length of the school year **[**for more school days than the number of days extended by a county board under paragraph (3) of this subsection**]**; or

2. A decrease in the length of the school year;

**[**(3) A county board may extend the length of the school year for up to 5 school days beyond June 15 without approval from the State Board.**]**

**(G) NOTWITHSTANDING ANY OTHER LAW AND SUBJECT ONLY TO THIS SECTION, EACH COUNTY BOARD ANNUALLY SHALL SET THE START AND END DATES OF THE SCHOOL YEAR FOR SCHOOLS IN THE COUNTY.**

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 7–103(b)(4) and (5), respectively, of Article – Education of the Annotated Code of Maryland be renumbered to be Section(s) 7–103(b)(3) and (4), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That if this Act is submitted to the qualified voters of the State at the next general election to be held in November 2020 for their approval or rejection in accordance with Article XVI of the Maryland Constitution, the following statement shall appear in the specimen ballots that are mailed to registered voters before the election under § 7–105 of the Election Law Article:

"This Act would allow a county board of education to set the start date and end date of the school calendar for the public schools in that county. Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10–month period. A county board may apply to the State Board of Education for a waiver from these requirements if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions.

This Act would return to a county board the sole authority to set the start and end dates of the school calendar year. A county board would still be required to meet other requirements, such as the minimum number of days and hours, when setting the school calendar.".

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to

each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.".

The preceding amendment was read only.

Delegate Kaiser moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

## RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 6

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1305** – **Delegate Ivey**

AN ACT concerning

**Estates and Trusts – Administration of Estates – Waiver of Fees – Required**

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1400** – **Delegate Cardin**

AN ACT concerning

**Public Health – Death Certificates – Completion and Cause of Death Report**

The Bill was re–referred to the Committee on Health and Government Operations.

## QUORUM CALL

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

(See Roll Call No. 368)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 31

**House Bill 20** – **Delegate Luedtke**

AN ACT concerning

**State Agricultural Land Transfer Tax – ~~Nonagricultural Use Exemption – Repeal~~ Alteration of Nonagricultural Use Reduction and Exemptions**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the Senate.

**House Bill 79** – **Delegate Luedtke**

AN ACT concerning

**Election Law – Early Voting Centers – Establishment ~~and Hours~~**

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

Affirmative – 120 Negative – 16 (See Roll Call No. 370)

The Bill was then sent to the Senate.

**House Bill 109** – **Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser–Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, ~~and K. Young~~ K. Young, and Cardin**

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – ~~Prohibition~~ Prohibitions**

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

Affirmative – 97 Negative – 38 (See Roll Call No. 371)

The Bill was then sent to the Senate.

**House Bill 172** – **Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

AN ACT concerning

**Election Law – Voter Registration Deadlines and Security of Voter Registration Information**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the Senate.

**House Bill 195 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County Board of Education – Financial Literacy ~~Curriculum – Graduation Requirement~~ Pilot Program Course**

**PG 504–19**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the Senate.

**House Bill 214 – Delegates Pena–Melnyk, Acevero, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Dumais, Fennell, W. Fisher, Fraser–Hidalgo, Glenn, Healey, Hill, Ivey, Kelly, Korman, Lafferty, Lehman, J. Lewis, R. Lewis, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Pendergrass, Proctor, Reznik, Rosenberg, Shetty, Stewart, Sydnor, Turner, Valderrama, Valentino–Smith, Walker, Washington, and Wilkins**

SECOND PRINTING

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**

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

Affirmative – 113 Negative – 23 (See Roll Call No. 374)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 32

**House Bill 238 – Delegates Atterbeary, Ebersole, Hill, Miller, Pendergrass, Shetty, and Terrasa**

AN ACT concerning

**Education – Removal of County Superintendents – Procedures**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 375)

The Bill was then sent to the Senate.

**House Bill 243 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Property Tax Credit – Cumberland Economic Development Corporation**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 376)

The Bill was then sent to the Senate.

**House Bill 330 – Delegates Miller, Atterbeary, Cox, Ebersole, Feldmark, Fennell, Hill, Kittleman, Luedtke, Pendergrass, Rose, Shoemaker, Terrasa, Washington, and C. Watson**

AN ACT concerning

**Education – County Boards of Education – County Superintendent Contracts**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 377)

The Bill was then sent to the Senate.

**House Bill 387 – Delegates Hornberger, Buckel, Cassilly, Cox, Kittleman, McComas, Metzgar, Miller, and Shoemaker**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Transportation Authority Police**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 378)

The Bill was then sent to the Senate.

**House Bill 432 – Delegates Dumais, Fraser–Hidalgo, and Qi**

AN ACT concerning

**Property Tax – Exemptions – Nonprofit Charitable Museums**

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

Affirmative – 122 Negative – 14 (See Roll Call No. 379)

The Bill was then sent to the Senate.

**House Bill 513 – Delegates Ghrist, Arentz, Jacobs, ~~and Mautz~~ Mautz, and Rose**

AN ACT concerning

**County Boards of Education – Establishing Regional Career and ~~Technical~~ Technology Education Schools – Authority ~~and Funding~~**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 380)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 33**

**House Bill 590 – Howard County Delegation**

AN ACT concerning

**Howard County Board of Education – Election of Members**

**Ho. Co. 01–19**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 381)

The Bill was then sent to the Senate.

**House Bill 684** – **Delegates Wilson ~~and Patterson~~, Patterson, Kaiser, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Howard, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Reilly, Rose, Shoemaker, Turner, Walker, Washington, and Wilkins**

AN ACT concerning

**Income Tax Checkoff – Maryland Veterans Trust Fund**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 382)

The Bill was then sent to the Senate.

**House Bill 830** – **Delegate Washington**

AN ACT concerning

**County Public Campaign Financing – ~~Late Fees, Civil Penalties, and~~ Administration**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 383)

The Bill was then sent to the Senate.

**House Bill 844** – **Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, ~~and Walker~~ Walker, and Washington**

AN ACT concerning

**Public Schools – School Psychologists – Reports**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 384)

The Bill was then sent to the Senate.

**House Bill 878 – Delegates Kaiser, Barve, Cain, Ebersole, Feldmark, Gaines, Haynes, Krebs, Mosby, and K. Young**

AN ACT concerning

**Election Law – Campaign Finance Reports – Late Fees and Certificates of Nomination**

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

Affirmative – 127 Negative – 10 (See Roll Call No. 385)

The Bill was then sent to the Senate.

**House Bill 997 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Special Taxing Districts – Internet Service**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 386)

The Bill was then sent to the Senate.

**House Bill 1093 – Delegates P. Young ~~and Lisanti~~, Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins**

AN ACT concerning

**Income Tax – Subtraction Modification – Retirement Income**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 387)

The Bill was then sent to the Senate.

## SPECIAL ORDERS

**Senate Bill 128 – Senators Pinsky and King**

AN ACT concerning

**County Boards of Education – School Year – Start and End Dates**

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**SB0128/835666/2**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 128
(Third Reading File Bill)

On page 1, at the top of the page, insert "EMERGENCY BILL"; strike line 2 in its entirety and substitute "Community Control of School Calendars Act"; strike beginning with "repealing" in line 3 down through "education" in line 8 and substitute "requiring county boards of education to annually set school year dates; removing a provision relating to extending the school year beyond June 15; requiring that a statement be mailed to voters under certain circumstances; making this Act an emergency measure; and generally relating to the school year"; in line 11, strike "7–103" and substitute "7–103(b)(1)(i)"; and after line 13, insert:

"BY repealing
Article – Education
Section 7–103(b)(3)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 7–103(g)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY renumbering
Article – Education
Section 7–103(b)(4) and (5), respectively
to be Section 7–103(b)(3) and (4), respectively
Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)".

On pages 1 through 4, strike in their entirety the lines beginning with line 18 on page 1 through line 23 on page 4, and substitute:

"(b) (1) If a county board submits a written application to the State Board that describes a demonstrated effort by the county board to comply with subsection (a) of this section, the State Board may permit:

(i) The following adjustments:

1. An increase in the length of the school year **[**for more school days than the number of days extended by a county board under paragraph (3) of this subsection**]**; or

2. A decrease in the length of the school year;

**[**(3) A county board may extend the length of the school year for up to 5 school days beyond June 15 without approval from the State Board.**]**

**(G) NOTWITHSTANDING ANY OTHER LAW AND SUBJECT ONLY TO THIS SECTION, EACH COUNTY BOARD ANNUALLY SHALL SET THE START AND END DATES OF THE SCHOOL YEAR FOR SCHOOLS IN THE COUNTY.**

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 7–103(b)(4) and (5), respectively, of Article – Education of the Annotated Code of Maryland be renumbered to be Section(s) 7–103(b)(3) and (4), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That if this Act is submitted to the qualified voters of the State at the next general election to be held in November 2020 for their approval or rejection in accordance with Article XVI of the Maryland Constitution, the following statement shall appear in the specimen ballots that are mailed to registered voters before the election under § 7–105 of the Election Law Article:

"This Act would allow a county board of education to set the start date and end date of the school calendar for the public schools in that county. Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10–month period. A county board may apply to the State Board of

Education for a waiver from these requirements if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions.

This Act would return to a county board the sole authority to set the start and end dates of the school calendar year. A county board would still be required to meet other requirements, such as the minimum number of days and hours, when setting the school calendar.".

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.".

The preceding amendment was read and adopted.

Favorable report, as amended, 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. 388)

## ADJOURNMENT

At 11:48 A.M. on motion of Delegate Dumais the House adjourned until 10:00 A.M. on Legislative Day March 10, 2019, Calendar Day, Wednesday, March 13, 2019.

**Annapolis, Maryland**
**Legislative Day: March 10, 2019**
**Calendar Day: Wednesday, March 13, 2019**
**10:00 A.M. Session**

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

Prayer by Delegate Benjamin Brooks of Baltimore County.

## QUORUM CALL

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

(See Roll Call No. 389)

EXCUSED:
Del. Branch – late – personal
Del. Carey – illness

The Journal of March 12, 2019 was read and approved.

## QUORUM CALL

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

(See Roll Call No. 390)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 42

**House Bill 571 – Delegates Sample–Hughes, Anderson, Barron, Crutchfield, Hill, Krebs, Patterson, ~~and Pena–Melnyk~~ Pena–Melnyk, Pendergrass, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young**

AN ACT concerning

**Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Revisions**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 391)

The Bill was then sent to the Senate.

**House Bill 583** – **Delegates Wilkins, Crosby, Ebersole, Hettleman, Hill, Ivey, Jalisi, Lehman, R. Lewis, Queen, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Valentino–Smith, Wilson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, Krebs, Metzgar, Morgan, Rosenberg, Saab, and Szeliga**

AN ACT concerning

**Health – Maternal Mortality Review Program – Recommendations and Reporting Requirement**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 392)

The Bill was then sent to the Senate.

**House Bill 588** – **~~Delegate Hettleman~~ Delegates Hettleman, C. Watson, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**Continuing Care Retirement Communities – Mediation – Representation by Counsel**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 393)

The Bill was then sent to the Senate.

**House Bill 601** – **Delegate D.E. Davis**

AN ACT concerning

**Renewable Energy Portfolio Standard – ~~Tier 1 Eligibility~~ Alterations**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 394)

The Bill was then sent to the Senate.

**House Bill 625 – Delegate Clippinger**

AN ACT concerning

**Baltimore Police Department – Commission to Restore Trust in Policing – ~~Extension and Funding~~ Alterations**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 395)

The Bill was then sent to the Senate.

**House Bill 648 – ~~Delegate Bagnall~~ Delegates Bagnall, Barron, Bhandari, Charles, Chisholm, Hill, Krebs, Metzgar, Morgan, Pena–Melnyk, and Saab**

AN ACT concerning

**Interstate Physical Therapy Licensure Compact**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 396)

The Bill was then sent to the Senate.

**House Bill 659 – Delegates Shetty, Jalisi, Atterbeary, Bagnall, Brooks, Cain, Cox, D.M. Davis, Dumais, W. Fisher, Fraser–Hidalgo, Healey, Hettleman, Johnson, Korman, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Pena–Melnyk, Reznik, Solomon, Sydnor, Terrasa, ~~and Wilkins~~ Wilkins, Bartlett, Cardin, Crutchfield, J. Lewis, and R. Watson**

AN ACT concerning

**Juvenile Law – Continued Detention – Minimum Age**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 397)

The Bill was then sent to the Senate.

**House Bill 1248 – Delegates Bartlett, Atterbeary, W. Fisher, Lopez, ~~and Shetty~~ Shetty, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson,**

**Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**Criminal Procedure – Sexual Assault Evidence Kits – Privacy and Reimbursement**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 398)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 35

**House Bill 268 – Delegates Beitzel, Buckel, and McKay**

AN ACT concerning

**Maryland Community College Promise Scholarship Program – Alterations to the Award of Scholarship Funds**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 399)

The Bill was then sent to the Senate.

**House Bill 821 – ~~Delegate Barve~~ Delegates Barve and Grammer**

AN ACT concerning

**State Retirement and Pension System – ~~Investment Management Fees~~ Carried Interest – Reporting**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 400)

The Bill was then sent to the Senate.

**House Bill 953 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Barbers – Sunset Extension**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 401)

The Bill was then sent to the Senate.

**House Bill 954 – Delegate Cassilly**

AN ACT concerning

**Agriculture – Commercial Compost – Prohibition on Per Ton Inspection Fee**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 402)

The Bill was then sent to the Senate.

**House Bill 1021 – Delegate Glenn**

AN ACT concerning

**Business Occupations and Professions – Barbers – Additional Students**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 403)

The Bill was then sent to the Senate.

**House Bill 1123 – Delegates Fraser–Hidalgo, Cassilly, Barve, Gilchrist, Jacobs, Otto, Stein, and Wivell**

~~EMERGENCY BILL~~

AN ACT concerning

**Agriculture – Hemp Research and Production**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 404)

The Bill was then sent to the Senate.

**House Bill 1379 – Delegate B. Barnes**

AN ACT concerning

**Optional Retirement Program – Membership**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 405)

The Bill was then sent to the Senate.

## SPECIAL ORDER CALENDAR NO. 16

**House Bill 100 – The Speaker and the President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2020)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2019 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit M of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit N of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 1407 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit O of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED.FAVORABLE REPORT NOT ADOPTED.

Committee amendments 1 through 5 were read and adopted.

Committee amendment 6 was read and adopted.

Committee amendments 7 through 11 were read and adopted.

Committee amendment 12 was read and adopted by a roll call vote as follows:

Affirmative – 96 Negative – 40 (See Roll Call No. 406)

Committee amendments 13 through 17 were read and adopted.

Committee amendments 18 through 25 were read and adopted.

Committee amendment 26 was read and adopted by a roll call vote as follows:

Affirmative – 95 Negative – 42 (See Roll Call No. 407)

Committee amendments 27 through 33 were read and adopted.

Committee amendments 34 through 47 were read and adopted.

Committee amendment 48 was read and adopted by a roll call vote as follows:

Affirmative – 101 Negative – 35 (See Roll Call No. 408)

Committee amendments 49 through 52 were read and adopted.

Committee amendments 53 through 72 were read and adopted.

Committee amendments 73 through 90 were read and adopted.

Committee amendments 91 through 104 were read and adopted.

Committee amendment 105 was read and adopted by a roll call vote as follows:

Affirmative – 98 Negative – 40 (See Roll Call No. 409)

Committee amendments 106 through 107 were read and adopted.

Committee amendments 108 through 123 were read and adopted.

Committee amendments 124 through 141 were read and adopted.

Committee amendment 142 was read and adopted.

Committee amendment 143 was read and adopted by a roll call vote as follows:

Affirmative – 98 Negative – 40 (See Roll Call No. 410)

Committee amendments 144 through 150 were read and adopted.

Committee amendments 151 through 179 were read and adopted.

Committee amendments 180 through 188 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0100/433923/1**
BY: Delegate Parrott

AMENDMENT TO HOUSE BILL 100
(First Reading File Bill – Committee Reprint)

On page 90, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

After line 19, insert:

"Further provided that the Maryland Department of Health shall verify legal immigration status before certifying an individual as eligible to receive Medicaid".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 96 (See Roll Call No. 411)

FLOOR AMENDMENT

**HB0100/143728/1**
BY: Delegate M. Fisher

AMENDMENT TO HOUSE BILL 100
(First Reading File Bill – Committee Reprint)

On page 148, under:

Heading: UNIVERSITY SYSTEM OF MARYLAND OFFICE

Program: R30B36.00

Entitled: University System of Maryland Office

After line 11, insert:

"Further provided that $1,000,000 of this appropriation may not be expended until the University System of Maryland Office submits to the budget committees a plan to facilitate the exercise of First Amendment rights on the campuses of the University System of Maryland. The budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.".

On page 154, under:

Heading: HIGHER EDUCATION

Program: R75T00.01

Entitled: Support for State Operated Institutions of Higher Education

After line 8, insert:

"Further provided that $1,000,000 of this appropriation may not be expended until the University System of Maryland Office submits to the budget committees a plan to facilitate the exercise of First Amendment rights on the campuses of the University System of Maryland. The budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 96 (See Roll Call No. 412)

FLOOR AMENDMENT

**HB0100/683921/1**
BY: Delegate Rose

AMENDMENT TO HOUSE BILL 100
(First Reading File Bill – Committee Reprint)

On page 88, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with the semicolon in line 5 down through "health" in line 15.

On page 91, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children's Health Program

Strike beginning with the semicolon in line 33 down through "health" in line 43.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 92 (See Roll Call No. 413)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 17

**House Bill 1407 – Chair, Appropriations Committee**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2019**

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 1407 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit O of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**HB1407/974167/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "appropriations;" insert "expanding the uses of certain funds;"; in line 7, after "revenues;" insert "requiring, for a certain fiscal year, the distribution of certain revenues to a certain Fund to be used for a certain purpose; requiring the Governor to include in the budget bill submitted at a certain General Assembly session an appropriation equal to a certain amount to be used for a certain purpose; repealing the authority of a certain commission to adjust, under certain circumstances, the distribution of proceeds from video lottery terminals in Baltimore City, Anne Arundel County, and Cecil County;"; in line 9, after "purpose;" insert "authorizing the Governor to process a certain budget amendment to appropriate certain revenues to be used for a certain purpose if a certain condition is met;"; after line 21, insert:

"BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–301(a) and (c)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–314
Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)";

and in line 24, strike "and 6–104(a)(1)" and substitute ", 6–104(a)(1), and 7–330(b), (c), and (f)".

On page 2, in line 3, strike "and 6–104(e)" and substitute ", 6–104(e), 7–329, and 7–330(g) and (j)"; and after line 5, insert:

"BY repealing
Article – State Government
Section 9–1A–37(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

On page 7, in lines 8, 12, 15, 19, 24, and 28, strike "5.", "6.", "7.", "8.", "9.", and "10.", respectively, and substitute "4.", "5.", "6.", "7.", "8.", and "11.", respectively.

AMENDMENT NO. 2

On page 2, after line 34, insert:

"Article – Labor and Employment

10–301.

(a) In this subtitle the following words have the meanings indicated.

(c) "Fund" means the Uninsured Employers' Fund.

10–314.

(a) The Fund shall consist of:

(1) the money credited to the Fund under Title 9 of this article;

(2) income from investments that the State Treasurer makes for the Fund; and

(3) interest on deposits or investments of money from the Fund.

(b) The Director shall use the Fund to pay:

(1) each award under Title 9 of this article charged against the Fund;

(2) the amount that the Director authorizes for an expert or witness hired under § 10–310(c) of this subtitle;

(3) other proper charges that the Director authorizes; **[**and**]**

(4) whenever an employer who is self–insured in accordance with § 9–404 or § 9–405 of this article becomes insolvent, any outstanding obligations of the employer**; AND**

**(5) HEARING LOSS CLAIMS FOR RETIREES OF THE BETHLEHEM STEEL CORPORATION**.

(c) The liability of the Board, Director, Fund, State Treasurer, and State for all proper charges against the Fund is limited to the assets of the Fund.".

AMENDMENT NO. 3

On page 5, after line 15, insert:

"7–329.

(a) (1) In this section the following words have the meanings indicated.

(2) "Fund" means the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(3) (i) "Nonwithholding income tax revenues" means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10–101 of the Tax – General Article.

(ii) "Nonwithholding income tax revenues" does not include:

1. the county share of income tax quarterly estimated and final payments with returns made by individuals;

2. income tax payments made by corporations;

3. income tax refunds paid to individuals or corporations; or

4. income tax withholding.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

**(B–1) AT THE END OF FISCAL YEAR 2020 ONLY, IF THE AMOUNT OF NONWITHHOLDING INCOME TAX REVENUES THAT EXCEEDS THE CAPPED ESTIMATE DETERMINED UNDER § 6–104(E) OF THIS ARTICLE EXCEEDS THE AMOUNT NECESSARY TO CLOSE THE GAP IN REVENUES UNDER SUBSECTION (B) OF THIS SECTION, THE STATE COMPTROLLER SHALL DISTRIBUTE THE REMAINDER TO THE FISCAL RESPONSIBILITY FUND ESTABLISHED UNDER § 7–330 OF THIS SUBTITLE FOR THE PURPOSE OF PROVIDING A ONE–TIME BONUS IN FISCAL YEAR 2021 FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(1) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(2) (I) ELECTED TO A POSITION BY POPULAR VOTE;**

**(II) IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**(III) IN THE EXECUTIVE PAY PLAN.**

(c) **[**If**]** **EXCEPT AS PROVIDED IN SUBSECTION (B–1) OF THIS SECTION, IF** the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, and if the balance of the Revenue Stabilization Account under § 7–311 of this subtitle is less than 6% of the estimated General

Fund revenues for that fiscal year, the State Comptroller shall distribute to the Revenue Stabilization Account the lesser of:

(1) the remaining balance of nonwithholding income tax revenues in excess of the capped estimate determined under § 6–104(e) of this article; or

(2) the amount required for the Revenue Stabilization Account balance to equal 6% of the estimated General Fund revenues for that fiscal year.

(d) **[**If**]** **EXCEPT AS PROVIDED IN SUBSECTION (B–1) OF THIS SECTION, IF** the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount the State Comptroller is required to distribute to the Revenue Stabilization Account under subsection (c) of this section, the State Comptroller shall distribute:

(1) subject to subsection (e) of this section, 50% of the remaining amount to the Revenue Stabilization Account; and

(2) the remainder to the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(e) The distribution to the Revenue Stabilization Account under subsection (d)(1) of this section does not apply if the amount in the Revenue Stabilization Account exceeds 10% of General Fund revenues.

7–330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7–329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6–104(e) of this article deposited into the Fund by the State Comptroller under § 7–329(d)(2) of this subtitle.

(g) **(1)** **[**The**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Fund may be used only to provide pay–as–you–go capital funds for:

**[**(1)**] (I)** public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

**[**(2)**] (II)** capital projects at public community colleges; and

**[**(3)**] (III)** capital projects at four–year public institutions of higher education.

**(2) FOR FISCAL YEAR 2021 ONLY, MONEY IN THE FUND SHALL BE USED TO PROVIDE A ONE–TIME BONUS FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(I) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(II) 1. ELECTED TO A POSITION BY POPULAR VOTE;**

**2. IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**3. IN THE EXECUTIVE PAY PLAN.**

(j) (1) **[**The**] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE** Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay–as–you–go capital projects.

(2) Money expended from the Fund for pay–as–you–go capital projects is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for capital projects, including those funded with pay–as–you–go funds and the proceeds from the sale of general obligation bonds.

**(3) THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL SUBMITTED AT THE 2021 SESSION OF THE GENERAL ASSEMBLY AN APPROPRIATION EQUAL TO THE AMOUNT DISTRIBUTED TO THE FUND IN ACCORDANCE WITH §**

**7–329(B–1) OF THIS SUBTITLE TO PROVIDE A ONE–TIME BONUS IN FISCAL YEAR 2021 FOR PERMANENT EMPLOYEES IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT WHO ARE NOT:**

**(I) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(II) 1. ELECTED TO A POSITION BY POPULAR VOTE;**

**2. IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**3. IN THE EXECUTIVE PAY PLAN.**".

AMENDMENT NO. 4

On page 5, before line 16, insert:

"Article – State Government

9–1A–37.

**[**(c) (1) Subject to paragraphs (2) through (5) of this subsection, if a video lottery operation license is awarded to a video lottery facility in Prince George's County, the Commission may increase for a video lottery facility located in:

(i) Anne Arundel County, by not more than 2% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(8) of this subtitle; and

(ii) Baltimore City, by not more than 3% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(8) of this subtitle.

(2) If the Commission increases the percentage of proceeds from video lottery terminals for the video lottery facility in Anne Arundel County under paragraph (1) of this subsection, the Commission shall increase the percentage of proceeds for the video

lottery facility in Baltimore City by at least the same percentage point increase as for Anne Arundel County.

(3) (i) If a video lottery operation license is awarded to a video lottery facility in Prince George's County, the Commission may increase for a video lottery facility in Cecil County, by not more than 5% of the proceeds from video lottery terminals at the video lottery facility, the percentage under § 9–1A–27(a)(2) of this subtitle.

(ii) Any increased distribution of video lottery terminal proceeds under this paragraph for a video lottery facility in Cecil County shall be used for:

1. marketing, advertising, and promotional costs required under § 9–1A–23 of this subtitle; and

2. capital improvements at the video lottery facility.

(4) (i) On or before January 1, 2019, the Commission shall determine any adjustment authorized under paragraph (1) of this subsection to the percentage under § 9–1A–27(a)(8) of this subtitle or under paragraph (3) of this subsection.

(ii) Any adjustment authorized under this subsection may not take effect:

1. until a video lottery operation license is issued to a video lottery facility in Prince George's County; and

2. earlier than July 1, 2019.

(5) Before the Commission may make a determination on any adjustment under this subsection, the Commission shall report to the Governor and the General Assembly, in accordance with § 2–1246 of this article, on:

(i) the impact on existing facilities from a video lottery facility located in Prince George's County;

(ii) unexpected monetary gains to licensees from factors including the delayed opening of other facilities;

(iii) the monetary benefit to existing licensees from the removal of statutory or regulatory restrictions on video lottery operations;

(iv) increased revenue to licensees from the authorization of table games;

(v) the impact of any adjustments to the Education Trust Fund;

(vi) the tax implications, if any, and cost of the ownership of the video lottery terminals by video lottery facilities; and

(vii) any other factors related to the gaming market in Maryland and the ability of the State gaming program to compete with surrounding states.**]**".

On page 7, after line 27, insert:

"SECTION 9. AND BE IT FURTHER ENACTED, That the Governor is authorized to process a budget amendment to appropriate $15,766,919 in additional Education Trust Fund revenues received in fiscal year 2020 as a result of the repeal of § 9–1A–37(c) of the State Government Article as enacted by Section 1 of this Act. If Chapter (S.B. 1030/H.B. 1413) of the Acts of the General Assembly of 2019 takes effect, the special funds may be appropriated only to provide additional funding for students with disabilities as specified in Section 5 of Chapter (S.B. 1030/H.B. 1413) of the Acts of the General Assembly of 2019.".

AMENDMENT NO. 5

On page 7, strike in their entirety lines 4 through 7, inclusive.

AMENDMENT NO. 6

On page 7, in line 11, strike "$15,000,000" and substitute "$7,500,000".

AMENDMENT NO. 7

On page 7, before line 28, insert:

"SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding § 7–311(i) of the State Finance and Procurement Article or any other provision of law, for fiscal year 2020 only, and only as provided in the fiscal year 2020 operating budget bill, funds may be transferred by budget amendment from the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article and funds may be transferred by budget amendment from the Dedicated Purpose Account established under § 7–310 of

the State Finance and Procurement Article and may be used for fiscal year 2020 for purposes as specified in the fiscal year 2020 operating budget bill.".

Committee amendments 1 through 4 were read and adopted.

Committee amendments 5 through 7 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 26

**Senate Bill 158 – Senator Guzzone**

AN ACT concerning

**Maryland Department of Health – Community Dental Clinics Grant Program**

FOR the purpose of establishing the Community Dental Clinics Grant Program; authorizing the Board of Public Works, on the recommendation of the Secretary of Health, to make grants under the Program to counties, municipal corporations, and nonprofit organizations for the purpose of supporting the provision of dental services by community dental clinics through certain actions; providing for the application process for a State grant under the Program; providing certain terms, conditions, and limitations on the allocations, use, and amount of State grants made under the Program; prohibiting any portion of the proceeds of a grant made under the Program from being used for certain religious purposes; requiring the Governor to include funding in the State operating budget bill or capital budget bill for the Program beginning in a certain fiscal year; requiring the Board to make certain allocations from certain funds in accordance with this Act; requiring the Board to make certain certifications; requiring the State Treasurer to make certain payments; authorizing the Board to adopt certain regulations; authorizing the State, under certain circumstances, to recover a certain portion of the State funds expended; providing for a certain judicial proceeding and liens to enforce the State's right of recovery and priority of the proceeding and lien; requiring the Maryland Department of Health to adopt certain regulations; defining certain terms; and generally relating to the Community Dental Clinics Grant Program.

BY adding to
Article – Health – General
Section 24–1601 through 24–1607 to be under the new subtitle "Subtitle 16. Community Dental Clinics Grant Program"
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 249 – Senator Lam**

AN ACT concerning

**Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector – Authorization (Regional Transportation and Climate Protection Act of 2019)**

FOR the purpose of authorizing the Governor to include the State as a full participant in a certain initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector; ~~authorizing the Governor to impose a certain statewide greenhouse gas emission fee on the sale or distribution of motor fuel under certain circumstances;~~ requiring the Department of the Environment and the Department of Transportation to report to certain committees of the General Assembly on or before a certain date, and with a certain frequency thereafter, on the status of a certain initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector; requiring the General Assembly to enact a law approving the withdrawal of the State from a certain initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector; and generally relating to limiting or reducing greenhouse gas emissions from the transportation sector.

BY adding to
Article – Environment
Section 2–1204.2
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 253 – Senators Hayes, Carter, Ferguson, McCray, and Washington**

AN ACT concerning

**Major Information Technology Development Project Fund ~~– Money Received by Baltimore City Community College~~ – Exemption and Use of Fund**

FOR the purpose of excluding from the Major Information Technology Development Project Fund certain money received by Baltimore City Community College; requiring the Fund to be used to support and develop programs for a certain statewide public safety radio system; providing for the application of this Act; and generally relating to the Major Information Technology Development Project Fund.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–309(a), (b), and (e)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–309(f) and (l)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 428 – Senator Hershey**

AN ACT concerning

**Queen Anne's County – Alcoholic Beverages – Beauty Salon and Barbershop License**

FOR the purpose of establishing a beauty salon and barbershop beer and wine license in Queen Anne's County; authorizing the Board of License Commissioners to issue the license to a holder of certain permits; specifying that the license authorizes the license holder to sell beer or wine by the glass for on–premises consumption to a customer while the customer is provided certain services; authorizing a customer to consume only a certain amount of wine or beer during any one visit; prohibiting the license from being transferred to another location; setting the hours of sale for the license; specifying that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; setting an annual license fee; and generally relating to alcoholic beverages licenses in Queen Anne's County.

BY renumbering
Article – Alcoholic Beverages
Section 27–1001
to be Section 27–1001.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages

Section 27–1001
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 467 – Senator King**

AN ACT concerning

**Forestry – Mel Noland Fellowship Program – Establishment**

FOR the purpose of establishing the Mel Noland Fellowship Program in the Department of Natural Resources; establishing the purpose of the Fellowship Program; requiring the Department to develop criteria for the selection of fellows and ~~receiving~~ managing organizations; requiring the Department to select a certain managing organization; requiring the Department and managing organization to select a certain number of fellows and ~~place them in receiving organizations working in certain areas~~ support them in their matriculation in certain fields of study at an institution of higher education; authorizing the Department or managing organization to require a fellow to complete certain tasks; requiring a fellow to receive a certain stipend ~~in addition to a certain salary~~; providing for the use of certain funds; renaming a certain special fund to be the Mel Noland Woodland Incentives and Fellowship Fund; expanding the authorized uses of the Fund to include funding the Fellowship Program; expanding the sources of the Fund; requiring the Governor to appropriate a certain amount to the Fund for certain fiscal years; requiring the Department to direct a certain amount from the Fund to the Fellowship Program for certain purposes in certain fiscal years; defining certain terms; altering certain definitions; and generally relating to the Mel Noland Fellowship Program.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–301(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–301(g) and 5–307 to be under the amended subtitle "Subtitle 3. Woodland Incentives and Mel Noland Fellowship Programs"
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Natural Resources
Section 5–308

Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 701 – Senator Kramer**

AN ACT concerning

**Transportation Network Companies – Insurance**

FOR the purpose of authorizing the Motor Vehicle Administration to accept, under certain circumstances, certain forms of security from a transportation network company in place of a certain insurance policy; requiring transportation network companies to provide evidence of certain security to the Public Service Commission under certain circumstances; defining certain terms; making ~~a~~ conforming ~~change~~ changes; and generally relating to insurance for transportation network companies.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section ~~10–405(e)~~ 10–405(a), (b), (c), (d), and (e)
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–103
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**WAYS AND MEANS COMMITTEE REPORT NO. 8**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 355 – Delegates Patterson, Luedtke, D. Barnes, Barron, Ebersole, Fennell, Hill, Hornberger, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

AN ACT concerning

**Public Ethics Law – School Boards – Disclosures and Requirements (School System Ethics and Transparency Act of 2019)**

**HB0355/705660/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 355
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "board" insert "annually"; strike beginning with "prohibiting" in line 9 down through "circumstances;" in line 10; in line 16, after "statements" insert "filed on or after a certain date"; in lines 21 and 26, in each instance, after "statement" insert "filed on or after a certain date"; and strike beginning with "requiring" in line 28 down through "law;" in line 29.

On page 2, strike beginning with "establishing" in line 10 down through "law;" in line 11.

AMENDMENT NO. 2

On page 3, in line 14, after "**SHALL**" insert "**ANNUALLY**".

On page 4, strike in their entirety lines 19 and 20.

On page 5, in line 9, strike the colon; in line 10, strike "**(1)**"; strike beginning with the semicolon in line 11 down through "**REQUEST**" in line 14; in line 28, strike the brackets; and in the same line, strike "**COUNTY BOARD OF EDUCATION**".

On page 6 in line 24, on page 8 in line 18, and on page 9 in line 1, in each instance, after "**STATEMENT**" insert "**FILED ON OR AFTER JULY 1, 2019,**".

On page 6 in line 25, on page 8 in line 18, and on page 9 in line 1, in each instance, strike "**10**" and substitute "**4**".

On page 9, in line 8, strike the brackets; in lines 8 and 9, strike "**EQUIVALENT TO OR EXCEED THE**"; in line 23, after the semicolon insert "**OR**"; and strike beginning with the semicolon in line 25 down through "**SYSTEM**" in line 28.

On page 10, in line 13, strike "**OF**" and substitute "**AFTER**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 380 – Delegate Walker**

AN ACT concerning

**Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 403 – Delegates Ebersole and P. Young**

AN ACT concerning

**Income Tax Credit – Qualified Farms – Food Donation Pilot Program – Expansion and Extension**

**HB0403/355963/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 403
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "the State rather than certain counties" and substitute "Baltimore County"; and in line 7, after "credit;" insert "altering the maximum amount of tax credit certificates that may be issued for certain fiscal years;".

AMENDMENT NO. 2

On page 2, in lines 4 and 6, in each instance, strike the bracket; in line 5, after the first "County," insert "**BALTIMORE COUNTY,**"; and in line 6, strike "**THE STATE**".

AMENDMENT NO. 3

On page 4, in line 7, strike "$250,000" and substitute "**$100,000**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 423 – Delegates Kelly, Barve, Boyce, Chang, Ivey, Korman, R. Lewis, Lierman, Moon, Palakovich Carr, Qi, Reznik, Shetty, and Wilkins**

AN ACT concerning

**Election Law – Voter Registration – High Schools**

**HB0423/985067/1**
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 423
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Registration" insert "Drive"; and strike beginning with "authorizing" in line 3 down through "schools." in line 27 and substitute "requiring each local board of elections to conduct a voter registration drive at least once each school year in each public high school in the county in a manner specified in an agreement between the local board and county board of education; requiring each public official responsible for the use of a public high school to make available to the local board of elections, without charge, the space that is needed in the building for the proper conduct of a voter registration drive; defining a certain term; and generally relating to voter registration drives conducted in public high schools.".

On page 2, in line 1, after "3–102(a)(1)" insert "and 3–201"; and strike in their entirety lines 4 through 8, inclusive.

AMENDMENT NO. 2

On page 3, in line 2, strike the brackets; strike beginning with the semicolon in line 3 down through "**ENROLLED**" in line 6; and after line 10, insert:

"**(A) (1) IN THIS SECTION, "VOTER REGISTRATION DRIVE" MEANS A VOTER REGISTRATION SITE ADMINISTERED BY A LOCAL BOARD WHERE VOTER REGISTRATION APPLICATIONS APPROVED BY THE STATE BOARD ARE DISTRIBUTED TO INDIVIDUALS ELIGIBLE TO REGISTER TO VOTE.**

**(2) "VOTER REGISTRATION DRIVE" MAY INCLUDE:**

**(I) AN EVENT ON SCHOOL PROPERTY, DURING SCHOOL HOURS, OPEN TO EACH EMPLOYEE OF AND STUDENT ENROLLED IN THE SCHOOL WHO IS OR WILL BE 16 YEARS OLD OR OLDER DURING THE IMMEDIATELY FOLLOWING YEAR, WHERE COMPLETED VOTER REGISTRATION APPLICATIONS ARE ACCEPTED BY A LOCAL BOARD OFFICIAL, EMPLOYEE, OR AUTHORIZED VOLUNTEER FOR TRANSMITTAL TO THE APPROPRIATE ELECTION OFFICIAL; OR**

**(II) LOCAL BOARD OFFICIALS, EMPLOYEES, OR AUTHORIZED VOLUNTEERS VISITING CLASSROOMS WITHIN A SCHOOL, DURING SCHOOL HOURS, DISTRIBUTING VOTER REGISTRATION APPLICATIONS TO EACH EMPLOYEE OF AND STUDENT ENROLLED IN THE SCHOOL WHO IS OR WILL BE 16 YEARS OLD OR OLDER DURING THE IMMEDIATELY FOLLOWING YEAR AND ACCEPTING COMPLETED VOTER REGISTRATION APPLICATIONS FOR TRANSMITTAL TO THE APPROPRIATE ELECTION OFFICIAL.**

**(B) AT LEAST ONCE EACH SCHOOL YEAR, EACH LOCAL BOARD SHALL CONDUCT A VOTER REGISTRATION DRIVE IN EACH PUBLIC HIGH SCHOOL IN THE COUNTY IN A MANNER SPECIFIED IN AN AGREEMENT BETWEEN THE LOCAL BOARD AND THE COUNTY BOARD OF EDUCATION.**

**(C) EACH PUBLIC OFFICIAL RESPONSIBLE FOR THE USE OF A PUBLIC HIGH SCHOOL SHALL MAKE AVAILABLE TO THE LOCAL BOARD, WITHOUT CHARGE, THE SPACE THAT IS NEEDED IN THE BUILDING FOR THE PROPER CONDUCT OF A VOTER REGISTRATION DRIVE.**".

On pages 3 through 5, strike in their entirety the lines beginning with line 11 on page 3 through line 14 on page 5, inclusive.

On page 5, in line 16, strike "October 1, 2020" and substitute "July 1, 2019".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 439 – Delegates Washington and Charkoudian**

AN ACT concerning

**Public Schools – School Resource Officers – Prohibited Conduct**

**HB0439/975968/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 439
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 6, in each instance, strike "or a school security employee"; in line 5, strike "participate in the routine school discipline of a student" and substitute "enforce certain discipline–related policies, rules, regulations, or procedures"; strike beginning with "participating" in line 6 down through "student" in line 7 and substitute "unilaterally enforcing certain discipline–related policies, rules, regulations, or procedures"; in line 9, after the second comma insert "and"; and in line 10, strike ", and school security employees".

AMENDMENT NO. 2

On page 2, in lines 3 and 4 and 6 and 7, in each instance, strike "**OR A SCHOOL SECURITY EMPLOYEE**"; in lines 4 and 5, strike "**PARTICIPATE IN THE ROUTINE SCHOOL DISCIPLINE OF A STUDENT**" and substitute "**ENFORCE DISCIPLINE–RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR PROCEDURES**"; and in lines 7 and 8, strike "**PARTICIPATE IN THE ROUTINE SCHOOL DISCIPLINE OF A STUDENT**" and substitute

"**UNILATERALLY ENFORCE DISCIPLINE–RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR PROCEDURES**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 482 – Delegates Mosby, Branch, and Walker**

AN ACT concerning

**Income Tax Credit – Endowments of Maryland Historically Black Colleges and Universities**

**HB0482/305567/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 482
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, Kaiser, D. Barnes, Boteler, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Palakovich Carr, Patterson, Rose, Shoemaker, Smith, Turner, Washington, and Wilkins"; in line 6, after "education;" insert "requiring certain taxpayers to add a certain deduction back to federal adjusted gross income to determine Maryland adjusted gross income;"; in line 11, after "year;" insert "requiring the Comptroller to make available for certain institutions of higher education a certain percent of the total amount of tax credits that the Comptroller may approve in a calendar year;"; in line 14, after "application" insert "and termination"; and after line 15, insert:

"BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–204(a) and 10–305(a) and (d)(6)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–204(l)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2
On page 1, after line 23, insert:

"10–204.

(a) To the extent excluded from federal adjusted gross income, the amounts under this section are added to the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(l) The addition under subsection (a) of this section includes any amount deducted as a donation, as defined under § 10–736 **OR § 10–749** of this title, to the extent that the amount of the donation is included in an application for a credit that is certified under § 10–736 **OR § 10–749** of this title.

10–305.

(a) To the extent excluded from federal taxable income, the amounts under this section are added to the federal taxable income of a corporation to determine Maryland modified income.

(d) The addition under subsection (a) of this section includes the additions required for an individual under:

(6) § 10–204(l) of this title (Deduction for donations to qualified permanent endowment funds).".

AMENDMENT NO. 3
On page 3, in line 10, strike "**$400,000**" and substitute "**$240,000**"; after line 10, insert:

"**(II) 1. THE COMPTROLLER SHALL MAKE AVAILABLE 25% OF THE AMOUNT OF CREDITS AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS**

**PARAGRAPH FOR DONATIONS TO QUALIFIED PERMANENT ENDOWMENT FUNDS AT EACH INSTITUTION OF HIGHER EDUCATION.**";

in line 11, strike "**(II)**" and substitute "**2.**"; in line 12, after "**SECTION**" insert "**FOR AN INSTITUTION OF HIGHER EDUCATION**"; in the same line, strike "**TOTALS**" and substitute "**IS**"; in line 13, strike "**AUTHORIZED UNDER THIS PARAGRAPH**" and substitute "**MADE AVAILABLE FOR THE INSTITUTION OF HIGHER EDUCATION UNDER THIS SUBPARAGRAPH**"; and in line 14, after "**CERTIFICATES**" insert "**FOR THE INSTITUTION OF HIGHER EDUCATION**".

AMENDMENT NO. 4

On page 3, in line 20, after "2018" insert "but before January 1, 2024. It shall remain effective for a period of 4 years and 6 months and, at the end of December 31, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1224 – Delegates Rose, D. Barnes, Buckel, Corderman, Hornberger, Kelly, Krebs, Long, McComas, Miller, Moon, Reilly, Saab, and Shoemaker**

AN ACT concerning

**County Boards of Education – Computer Science Courses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 19

**House Bill 298 – Delegates Busch, Bagnall, Barve, Branch, Cain, Dumais, Fraser–Hidalgo, Gaines, Gilchrist, Healey, Holmes, Jones, Lafferty, Luedtke, McIntosh, Stein, and Wilkins**

AN ACT concerning

**Oysters – Tributary–Scale Sanctuaries – Protection and Restoration**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0298/753322/2**
BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 298, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Environment and Transportation Committee Amendments (HB0298/410714/1) in their entirety.

On page 1 of the bill, strike beginning with the first comma in line 7 down through "date" in line 13 and substitute "to practice adaptive management in accordance with a certain group".

AMENDMENT NO. 2

On page 4 of the bill, in line 10, strike "**(1)**".

On pages 4 and 5 of the bill, strike beginning with the comma in line 10 on page 4 down through "sanctuaries." in line 22 on page 5 and substitute "**SHALL PRACTICE ADAPTIVE MANAGEMENT IN ACCORDANCE WITH THE CHESAPEAKE BAY PROGRAM SUSTAINABLE FISHERIES GOAL IMPLEMENTATION TEAM.**".

On page 5 of the bill, in line 23, strike "4." and substitute "3.".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 94 (See Roll Call No. 414)

FLOOR AMENDMENT

**HB0298/733622/1**
BY: Delegate Adams

AMENDMENTS TO HOUSE BILL 298

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "sanctuaries;" insert "requiring the Department of Natural Resources to establish coordinates for certain oyster sanctuaries after consultation with and consensus from a certain organization;"; and in lines 6 and 7, strike "of Natural Resources".

AMENDMENT NO. 2

On page 3, strike beginning with "**THERE**" in line 1 down through "**(3)**" in line 8.

On pages 3 and 4, strike in their entirety the lines beginning with line 17 on page 3 through line 2 on page 4, inclusive, and substitute "**(3) (I) THERE IS AN OYSTER SANCTUARY IN THE:**

**1. LITTLE CHOPTANK RIVER;**

**2. ST. MARY'S RIVER; AND**

**3. MANOKIN RIVER.**

**(II) THE DEPARTMENT SHALL ESTABLISH THE COORDINATES FOR THE OYSTER SANCTUARIES IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AFTER CONSULTATION WITH AND CONSENSUS FROM THE OYSTER FUTURES WORKGROUP.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 96 (See Roll Call No. 415)

FLOOR AMENDMENT

**HB0298/773323/1**
BY: Delegate Hartman

AMENDMENT TO HOUSE BILL 298

(First Reading File Bill)

On page 3, in lines 24 and 25, in each instance, strike "**MANOKIN**" and substitute "**SEVERN**"; on pages 3 and 4, strike beginning with "**ON**" in line 26 on page 3 down through "**WEST**" in line 2 on page 4 and substitute "**AT THE SOUTHERLY TIP OF GREENBURY POINT DEFINED BY LATITUDE 38 DEGREES 58.470 MINUTES NORTH, LONGITUDE 76 DEGREES 27.225 MINUTES WEST; THEN RUNNING 180 DEGREES TRUE TO THE OLD GREENBURY POINT LIGHTHOUSE DEFINED BY LATITUDE 38 DEGREES 58.087 MINUTES NORTH, LONGITUDE 76 DEGREES 27.253 MINUTES WEST; THEN RUNNING 157 DEGREES TRUE TO A "NO SHELLFISHING" BUOY DEFINED BY LATITUDE 38 DEGREES 57.692 MINUTES NORTH, LONGITUDE 76 DEGREES 27.038 MINUTES WEST; THEN RUNNING 136 DEGREES TRUE TO A "NO SHELLFISHING" BUOY DEFINED BY LATITUDE 38 DEGREES 57.118 MINUTES NORTH, LONGITUDE 76 DEGREES 26.320 MINUTES WEST; THEN RUNNING 222 DEGREES TRUE TO TOLLEY POINT DEFINED BY LATITUDE 38 DEGREES 56.497 MINUTES NORTH, LONGITUDE 76 DEGREES 27.040 MINUTES WEST**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 95 (See Roll Call No. 416)

FLOOR AMENDMENT

**HB0298/783122/1**
BY: Delegate Impallaria

AMENDMENTS TO HOUSE BILL 298
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Tributary–Scale" and substitute "Oyster"; and in line 3, after "in" insert "the Chesapeake Bay and".

AMENDMENT NO. 2

On page 2, in line 17, strike "**THE**" and substitute "**:**

**(1) THE**";

and in line 20, after "**AGREEMENT**" insert "**; AND**

**(2) THE CHESAPEAKE BAY**".

On page 3, in line 23, strike "**AND**".

On page 4, in line 2, after "**WEST**" insert "**; AND**

**(6) THERE IS AN OYSTER SANCTUARY IN THE UPPER WEST CHESAPEAKE BAY NEAR THE MOUTH OF THE PATAPSCO RIVER CALLED THE MAN O' WAR SHOALS, WHICH INCLUDES ALL OF THE WATERS OF THE BAY WITHIN THE BOUNDARIES OF A LINE BEGINNING AT A POINT DEFINED BY LATITUDE 39 DEGREES 10.797 MINUTES NORTH, LONGITUDE 76 DEGREES 22.624 MINUTES WEST; THEN RUNNING TRUE TO A POINT DEFINED BY LATITUDE 39 DEGREES 10.785 MINUTES NORTH, LONGITUDE 76 DEGREES 21.849 MINUTES WEST; THEN RUNNING TRUE TO A POINT DEFINED BY LATITUDE 39 DEGREES 11.272 MINUTES NORTH, LONGITUDE 76 DEGREES 2.711 MINUTES WEST; THEN RUNNING TRUE TO A POINT DEFINED BY LATITUDE 39 DEGREES 11.265 MINUTES NORTH, LONGITUDE 76 DEGREES 22.624 MINUTES WEST**".

On page 5, in line 15, strike "five" and substitute "six".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 23 Negative – 109 (See Roll Call No. 417)

FLOOR AMENDMENT

**HB0298/863128/1**
BY: Delegate Hornberger

AMENDMENTS TO HOUSE BILL 298
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "a certain exception" and substitute "certain exceptions"; in the same line, after the semicolon insert "requiring the Department of Natural Resources to designate a certain area within a certain oyster sanctuary where a person may remove

oyster seed; authorizing a person to remove oyster seed from a certain public tributary; authorizing a person to dredge for oysters under certain circumstances;"; and in lines 6 and 7, strike "of Natural Resources".

AMENDMENT NO. 2

On page 4, in line 6, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, A**"; and after line 9, insert:

"**(3) (I) A PERSON MAY REMOVE OYSTER SEED FROM THE OYSTER SANCTUARY DESCRIBED IN SUBSECTION (B)(4) OF THIS SECTION WITHIN THE AREA DESIGNATED BY THE DEPARTMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.**

**(II) THE DEPARTMENT SHALL DESIGNATE A 20–ACRE AREA IN THE OYSTER SANCTUARY DESCRIBED IN SUBSECTION (B)(4) OF THIS SECTION WHERE A PERSON MAY REMOVE OYSTER SEED.**

**(4) A PERSON MAY:**

**(I) REMOVE OYSTER SEED FROM A PUBLIC TRIBUTARY; AND**

**(II) IF FOR RESTORATION PURPOSES, DREDGE FOR OYSTERS IN ANY TRIBUTARY IN THE STATE.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 92 (See Roll Call No. 418)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 14

**House Bill 252 – Delegates Washington, Acevero, Barron, D.M. Davis, Fennell, W. Fisher, Ivey, Jackson, Moon, Mosby, Queen, and Wilkins**

AN ACT concerning

**Election Law – Eligible Detainees – Information on Voting Rights**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0252/923120/2**
BY: Delegate Howard

AMENDMENTS TO HOUSE BILL 252, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0252/395468/1), in line 2 of Amendment No. 1, strike "Correctional Facilities – Voting Coordinators" and substitute "Eligible Detainees – Voting"; and in line 12, after "coordinator;" insert "providing that a certain detainee is not qualified to be a registered voter except under certain circumstances;".

On page 1 of the bill, after line 18, insert:

"BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 2, after "**SECTION.**" insert:

"3–102.

(a) (1) Except as provided in subsection (b) of this section, an individual may become registered to vote if the individual:

(i) is a citizen of the United States;

(ii) is at least 16 years old;

(iii) is a resident of the State as of the day the individual seeks to register; and

(iv) registers pursuant to this title.

(2) Notwithstanding paragraph (1)(ii) of this subsection, an individual under the age of 18 years:

(i) may vote in a primary election in which candidates are nominated for a general or special election that will occur when the individual is at least 18 years old; and

(ii) may not vote in any other election.

(b) An individual is not qualified to be a registered voter if the individual:

(1) has been convicted of a felony and is currently serving a court–ordered sentence of imprisonment for the conviction;

(2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process; **[**or**]**

(3) has been convicted of buying or selling votes**; OR**

**(4) IS INCARCERATED IN A CORRECTIONAL FACILITY SOLELY FOR A MISDEMEANOR OFFENSE UNLESS THE INDIVIDUAL HAS PAID ALL COURT–ORDERED RESTITUTION, IF ANY, AND COMPLETED ALL COURT–ORDERED PROGRAMS, IF ANY**.".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 95 (See Roll Call No. 419)

FLOOR AMENDMENT

**HB0252/223629/1**
BY: Delegate Corderman

AMENDMENTS TO HOUSE BILL 252, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0252/395468/1), in line 12 of Amendment No. 1, after "coordinator;" insert "requiring certain eligible detainees to be registered in a certain precinct and to be issued a certain absentee ballot;".

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 2, after "**SECTION.**" insert "**(G) (1) AN ELIGIBLE DETAINEE WHO REGISTERS TO VOTE SHALL BE REGISTERED IN THE PRECINCT IN WHICH THE ELIGIBLE DETAINEE'S PERMANENT ADDRESS IS LOCATED AND IN WHICH THE DETAINEE WOULD OTHERWISE BE ELIGIBLE TO VOTE.**

**(2) AN ELIGIBLE DETAINEE WHO REGISTERS TO VOTE AND WHO REQUESTS AN ABSENTEE BALLOT SHALL BE ISSUED AN ABSENTEE BALLOT FOR THE PRECINCT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 97 (See Roll Call No. 420)

Read the second time and ordered prepared for Third Reading.

## QUORUM CALL

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

(See Roll Call No. 421)

## CALENDAR OF THIRD READING SENATE BILLS NO. 3

**Senate Bill 128 – Senators Pinsky and King**

AN ACT concerning

**County Boards of Education – School Year – Start and End Dates**

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

Affirmative – 95 Negative – 45 (See Roll Call No. 422)

The Bill was then returned to the Senate.

**Senate Bill 196 – Senators Smith, Carter, Elfreth, Ellis, Ferguson, Guzzone, Kagan, Lee, Pinsky, Rosapepe, Waldstreicher, Washington, West, Young, Zirkin, ~~and Zucker~~ Zucker, and Kramer**

AN ACT concerning

**Vehicle Laws – Licenses, Identification Cards, and Moped Operator's Permits – Indication of Applicant's Sex**

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

Affirmative – 89 Negative – 49 (See Roll Call No. 423)

The Bill was then returned to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 37

**House Bill 284 – Delegates J. Lewis, Carey, W. Fisher, Ivey, Luedtke, Washington, ~~and Wilkins~~ Wilkins, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, and K. Young**

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification**
**(Small and Minority Business Certification Streamlining Act of 2019)**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 424)

The Bill was then sent to the Senate.

**House Bill 338 – Delegates Queen, Acevero, Bagnall, Barron, Bartlett, Cain, Cardin, Chang, Charkoudian, Crutchfield, Cullison, Dumais, Gaines, Gilchrist, Guyton, Haynes, Hettleman, Hill, Ivey, Jackson, Jones, Kelly, Korman, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, McKay, Moon, Mosby, Palakovich Carr, Proctor, Qi, Sample–Hughes, Shetty, Solomon, Stewart, Valderrama, Valentino–Smith, Washington, C. Watson, Wilkins, and K. Young**

AN ACT concerning

**Human Services – Food Supplements**
**(Summer SNAP for Children Act)**

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

Affirmative – 118 Negative – 21 (See Roll Call No. 425)

The Bill was then sent to the Senate.

**House Bill 349 – Delegates Jacobs, Adams, Arentz, Ghrist, ~~and Hornberger~~ Hornberger, Cassilly, and Love**

AN ACT concerning

**~~Limited Fishing Guide License~~ Natural Resources – ~~Payment for Service~~ Special Charter Boat License – Alteration**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 426)

The Bill was then sent to the Senate.

**House Bill 376 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Traffic Accident or Incident Management**
**(Clear the Road Act of 2019)**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 427)

The Bill was then sent to the Senate.

**House Bill 417 – Delegates Hill, Acevero, Bartlett, Boyce, Bromwell, Brooks, Ebersole, Feldmark, Fraser–Hidalgo, Grammer, Jalisi, Lafferty, R. Lewis, Lierman, Long, Patterson, Stein, Sydnor, Terrasa, C. Watson, Wells, ~~and P. Young~~ P. Young, Bridges, Cassilly, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Lehman, Love, Otto, Proctor, and Stewart**

AN ACT concerning

**Water Pollution Control – ~~Public~~ Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 428)

The Bill was then sent to the Senate.

**House Bill 421 – Delegates Love, Acevero, Atterbeary, B. Barnes, Barron, Boyce, Bridges, Carr, Charkoudian, Clippinger, Cullison, Ebersole, Feldmark, Gilchrist, Hettleman, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, Lierman, Lopez, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnyk, Qi, Queen, Reznik, Shetty, Solomon, Stewart, Terrasa, Valderrama, Wells, and K. Young**

AN ACT concerning

**Vehicle Laws – Licenses, Identification Cards, and Moped Operator's Permits – Indication of Applicant's Sex**

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

Affirmative – 92 Negative – 48 (See Roll Call No. 429)

The Bill was then sent to the Senate.

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 430)

## ADJOURNMENT

At 1:26 P.M. on motion of Delegate Dumais the House adjourned until 10:00 A.M. on Legislative Day March 11, 2019, Calendar Day, Thursday, March 14, 2019.

**Annapolis, Maryland**
**Legislative Day: March 11, 2019**
**Calendar Day: Thursday, March 14, 2019**
**10:00 A.M. Session**

The House met at 10:16 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

## QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 431)

EXCUSED:
Del. Barron – late – personal
Del. Reznik – late – business
Del. P. Young – personal

The Journal of March 13, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 27

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship – Alterations**

FOR the purpose of repealing a certain requirement for applicants for and recipients of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship; and generally relating to the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–603.1
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 164 – The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Guzzone, Hershey, Hough, Jennings, Ready, Salling, Serafini, Simonaire, ~~and West~~ West, Elfreth, Ferguson, Griffith, King, McCray, Peters, Rosapepe, and Zucker**

AN ACT concerning

**Maryland Department of Health – Capital and Grant Programs – State Grants**

FOR the purpose of increasing the caps on the percentages of certain costs for the construction, acquisition, renovation, and equipping of community mental health facilities, addiction facilities, and developmental disabilities facilities for which State grants can be provided under the Community Mental Health, Addiction, and Developmental Disabilities Capital Program; increasing the caps on the percentages of certain costs for certain projects that may be covered by State grants under the Federally Qualified Health Centers Grant Program; making stylistic changes; and generally relating to the Community Mental Health, Addiction, and Developmental Disabilities Facilities Capital Program and the Federally Qualified Health Centers Grant Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–604 and 24–1304
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 165 – The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hershey, Hough, Jennings, Ready, Salling, Serafini, Simonaire, and West**

AN ACT concerning

**Safe Schools Maryland Act of 2019**

FOR the purpose of establishing the Safe Schools Maryland Program in the Maryland Center for School Safety; providing for the purpose of the program; requiring the School Safety Subcabinet to develop certain program guidance on or before a certain date; authorizing local school systems and certain schools to elect to participate in the program; requiring a local school system or school that elects to participate in the program to follow certain program guidance; requiring the Center to perform certain tasks related to the program; providing that certain documents and information are confidential and may be released only under certain circumstances;

providing that certain documents and information are not subject to the Maryland Public Information Act; authorizing certain documents and information to be provided to certain persons under certain circumstances; providing that certain entities may not compel disclosure of certain documents and information; authorizing a court to compel disclosure of certain documents and information if certain evidentiary requirements are met; prohibiting a person from willfully disclosing a document or information in violation of this Act; establishing certain penalties for a certain violation of this Act; prohibiting a person from being subject to criminal prosecution or civil liability for good faith actions relating to report or receipt of documents or information under the program; requiring the Subcabinet, beginning in a certain year, to submit a certain report to the Governor and the General Assembly on or before a certain date each year; defining ~~a~~ certain ~~term~~ terms; and generally relating to the Safe Schools Maryland Program.

BY adding to
Article – Education
Section 7–1513
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 251 – Senators Lam, Feldman, Hayes, and Kelley**

AN ACT concerning

**Public Health – Treatment for the Prevention of HIV – Consent by Minors**

FOR the purpose of providing that a minor has the same capacity as an adult to consent to treatment for the prevention of human immunodeficiency virus (HIV); ~~prohibiting a licensed health care practitioner from giving certain information about treatment needed by a minor or provided to a minor to certain individuals under certain circumstances;~~ and generally relating to consent to medical treatment by minors.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–102
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 399 – Senators Pinsky, Augustine, Elfreth, Ferguson, Hayes, McCray, Washington, Young, and Zucker**

AN ACT concerning

**<u>Consumer Protection –</u> Private Career Schools and For–Profit Institutions of Higher Education – Disclosures ~~and Regulation~~**

FOR the purpose of requiring private career schools and certain for–profit institutions of higher education to provide certain students with certain information before the student signs an enrollment agreement, completes registration, or makes a financial commitment; requiring certain information to be displayed in a certain manner and on certain websites; ~~prohibiting certain schools and institutions from enrolling certain residents under certain circumstances; providing for the construction of this Act; requiring the Maryland Higher Education Commission to adopt certain regulations on or before a certain date; specifying that certain schools and institutions may not be required to comply with certain provisions until a certain fiscal year; defining a certain term;~~ and generally relating to ~~the regulation of~~ <u>disclosures required to be made by</u> private career schools and for–profit institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–320(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Education~~
~~Section 10–101(a), (c), (d), and (j) and 11–202.2(a) and (b)(1) and (2)~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2018 Supplement)~~

~~BY adding to~~
~~Article – Education~~
~~Section 11–210~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2018 Supplement)~~

<u>Read the first time and referred to the Committee on Appropriations.</u>

**Senate Bill 449 – Senators Pinsky, Augustine, Carter, Ellis, Feldman, Ferguson, Guzzone, Kagan, King, Klausmeier, Lam, Lee, Miller, Peters, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker**

AN ACT concerning

**Election Law – ~~Election Day Voter~~ Registration <u>and Voting at Precinct Polling Places</u>**

FOR the purpose of providing an exception to the voter registration deadline to allow an individual to appear at a ~~certain~~ precinct polling place ~~to~~ <u>in the individual's county</u>

of residence and apply to register to vote ~~or change the voter's address on an existing voter registration~~; requiring ~~a certain~~ an applicant for a voter registration on election day to provide proof of residency; specifying the acceptable forms of proof of residency; requiring an election judge to ~~verify that a certain applicant's residence address is assigned to a certain precinct and to determine whether a certain individual~~ determine whether an applicant for voter registration resides in the precinct and is qualified to become a registered voter; requiring an election judge to process certain applicants for voter registration in a certain manner; ~~requiring an election judge to issue a certain voter a provisional ballot under certain circumstances;~~ requiring the State Board of Elections to take ~~certain~~ appropriate measures to notify potential registrants of the correct precinct polling place for the potential registrants' residence addresses except under certain circumstances; requiring an election judge to notify certain individuals of the correct precinct for the voter's residence address; ~~requiring an election judge to verify that a voter's new residence address is assigned to the precinct under certain circumstances; requiring an election judge to process certain voters who apply to change their address in a certain manner;~~ requiring the State Board of Elections to adopt regulations and procedures in accordance with the requirements of certain provisions of this Act for the administration of voter registration on election day; and generally relating to ~~election day voter registration~~ registration and voting at precinct polling places.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–302
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY adding to
Article – Election Law
Section 3–306
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 537 – Senators Lam, Augustine, Beidle, Benson, Carter, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Kagan, Kelley, King, Kramer, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker**

AN ACT concerning

**Higher Education – Tuition Rates – Exemptions**

FOR the purpose of altering the circumstances under which certain individuals are exempt from paying the out–of–state tuition rate at certain institutions of higher education; altering the circumstances under which certain individuals are eligible to pay a

certain tuition rate at certain institutions of higher education; requiring certain individuals to retain a certain tuition status until the individual is awarded a certain degree under certain circumstances; making certain stylistic changes; and generally relating to tuition rates at public institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.8
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 946 – Senators Griffith ~~and Serafini~~, Serafini, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Guzzone, Hayes, Hershey, Hester, Hough, Jennings, Kagan, Kelley, King, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Ready, Reilly, Rosapepe, Salling, Simonaire, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**

EMERGENCY BILL

AN ACT concerning

**State Prescription Drug Benefits – Retiree Benefits – Revisions**

FOR the purpose of authorizing certain retirees who participate in a certain prescription drug benefit plan with a spouse or dependent child to elect to have the spouse or dependent child covered under a certain State prescription drug benefit plan; authorizing certain surviving spouses and surviving dependent children to elect to enroll in a certain State prescription drug benefit plan; requiring the Department of Budget and Management, on or before a certain date, to establish the Maryland State Retiree Prescription Drug Coverage Program; authorizing the Department to establish certain out–of–pocket limits under the Maryland State Retiree Prescription Drug Coverage Program for certain retirees; authorizing the Maryland State Retiree Prescription Drug Coverage Program to include a certain health reimbursement account or other program; authorizing certain individuals to enroll in the Maryland State Retiree Prescription Drug Coverage Program during a certain open enrollment or special enrollment period; requiring the Department, on or before a certain date, to establish the Maryland State Retiree Catastrophic Prescription Drug Assistance Program; authorizing the Department to establish a certain maximum reimbursement amount under the Maryland State Retiree Catastrophic Prescription Drug Assistance Program for certain retirees; authorizing the Maryland State Retiree Catastrophic Prescription Drug Assistance Program to reimburse participants through a certain health reimbursement account or other program; authorizing certain individuals to enroll in the Maryland State Retiree Catastrophic

Prescription Drug Assistance Program during a certain open enrollment or special enrollment period; requiring the Department, on or before a certain date, to establish the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program to reimburse participants for certain costs through a certain health reimbursement account or other program; authorizing the Department to establish maximum reimbursement amounts on a certain basis under the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program; authorizing certain individuals to enroll in the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program during a certain open enrollment or special enrollment period; altering the date by which the Secretary of Budget and Management is required to provide a certain notice to certain individuals; altering the information required to be included in a certain notice; requiring the Department to provide certain counseling to Medicare–eligible retirees for a certain purpose; requiring the Department to take certain actions in providing certain counseling; providing for the manner in which certain counseling may be provided; authorizing the Department to make an emergency procurement for certain services under certain circumstances; providing for the application of certain provisions of this Act; making conforming changes; providing that, notwithstanding any other provision of law, the elimination of certain State prescription drug benefits, the establishment of certain programs, and the provision of a certain notice shall begin on a certain date under certain circumstances; making this Act an emergency measure; and generally relating to retirees from State employment and State prescription drug benefits.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section ~~2–508(d)~~ 2–508 and 2–509
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–509.1
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 432)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 34

**House Bill 63 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Maryland Pension Administration System – Member Contributions**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 433)

The Bill was then sent to the Senate.

**House Bill 108 – Delegates Carr and Korman**

AN ACT concerning

**Vehicle Laws – Intersections – Prohibited Acts**

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

Affirmative – 128 Negative – 10 (See Roll Call No. 434)

The Bill was then sent to the Senate.

**House Bill 124 – Delegates K. Young, Healey, Bartlett, Bhandari, Brooks, Ebersole, Feldmark, Jalisi, Jones, Kelly, Kerr, Krimm, R. Lewis, Pendergrass, Shetty, Terrasa, and C. Watson**

AN ACT concerning

**Tanning Devices – Use by Minors**

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

Affirmative – 100 Negative – 37 (See Roll Call No. 435)

The Bill was then sent to the Senate.

**House Bill 127 – ~~Delegate Kelly~~ Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, and K. Young**

AN ACT concerning

**Health Insurance – Health Benefit Plans – Special Enrollment Period for Pregnancy**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 436)

The Bill was then sent to the Senate.

**House Bill 155 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Hartman, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Malone, Mautz, McComas, McKay, Metzgar, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, and Szeliga**

AN ACT concerning

**Maryland Department of Health – Capital and Grant Programs – State Grants**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 437)

The Bill was then sent to the Senate.

**House Bill 181 – Delegates Cardin, Atterbeary, Attar, Boyce, Bromwell, Brooks, Ebersole, Guyton, Hettleman, Ivey, Jalisi, Jones, Kerr, Kipke, Krebs, Malone, McComas, McKay, Patterson, Rosenberg, Stein, Terrasa, Valderrama, ~~and C. Watson~~ C. Watson, Kittleman, Arikan, Bartlett, Cox, W. Fisher, Grammer, Hartman, Lopez, Pippy, Shetty, and R. Watson**

AN ACT concerning

**Criminal Law – Electronic Harassment and Bullying (Grace's Law 2.0)**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 438)

The Bill was then sent to the Senate.

**House Bill 259 – Delegates Moon, J. Lewis, ~~and Sydnor~~ Sydnor, Hartman, and Cardin**

AN ACT concerning

**Criminal Procedure – Expungement – Boating Offenses**

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

Affirmative – 130 Negative – 8 (See Roll Call No. 439)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 45**

**House Bill 252** – **Delegates Washington, Acevero, Barron, D.M. Davis, Fennell, W. Fisher, Ivey, Jackson, Moon, Mosby, Queen, and Wilkins**

AN ACT concerning

**Election Law – ~~Eligible Detainees – Information on Voting Rights~~ Correctional Facilities – Voting Coordinators**

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

Affirmative – 96 Negative – 41 (See Roll Call No. 440)

The Bill was then sent to the Senate.

**House Bill 298** – **Delegates Busch, Bagnall, Barve, Branch, Cain, Dumais, Fraser–Hidalgo, Gaines, Gilchrist, Healey, Holmes, Jones, Lafferty, Luedtke, McIntosh, Stein, and Wilkins**

AN ACT concerning

**Oysters – Tributary–Scale Sanctuaries – Protection and Restoration**

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

Affirmative – 98 Negative – 40 (See Roll Call No. 441)

The Bill was then sent to the Senate.

**House Bill 439** – **Delegates Washington and Charkoudian**

AN ACT concerning

**Public Schools – School Resource Officers – Prohibited Conduct**

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

Affirmative – 130 Negative – 8 (See Roll Call No. 442)

The Bill was then sent to the Senate.

**House Bill 482 – Delegates Mosby, Branch, ~~and Walker~~ Walker, Kaiser, D. Barnes, Boteler, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Palakovich Carr, Patterson, Rose, Shoemaker, Smith, Turner, Washington, and Wilkins**

AN ACT concerning

**Income Tax Credit – Endowments of Maryland Historically Black Colleges and Universities**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 443)

The Bill was then sent to the Senate.

**House Bill 1224 – Delegates Rose, D. Barnes, Buckel, Corderman, Hornberger, Kelly, Krebs, Long, McComas, Miller, Moon, Reilly, Saab, and Shoemaker**

AN ACT concerning

**County Boards of Education – Computer Science Courses**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 444)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 38**

**House Bill 428 – Delegates C. Watson, Atterbeary, Bagnall, Cain, Chang, Corderman, Ebersole, Feldmark, Fennell, Hill, Jackson, Kelly, Kittleman, Korman, Lafferty, R. Lewis, Miller, Patterson, Pendergrass, ~~and Terrasa~~ Terrasa, Acevero, Anderton, Boyce, Bridges, Gaines, Ghrist, Gilchrist, Harrison, Haynes, Healey, Hettleman, Holmes, Jones, Krimm, Lehman, Lierman, Love~~, Mangione~~, McKay, Proctor, Solomon, Stein, Valentino–Smith, Wells, and P. Young**

AN ACT concerning

**Comprehensive Flood Management Grant Program – Awards for Flood Damage and Mandatory Funding**

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

Affirmative – 106 Negative – 31 (See Roll Call No. 445)

The Bill was then sent to the Senate.

**House Bill 515 – Delegates Hornberger, Beitzel, Cassilly, Chisholm, Jacobs, Jalisi, Krebs, Reilly, Rose, Saab, and Shoemaker**

AN ACT concerning

**Municipalities – Municipal Infraction Proceedings – Designation of a Building Inspector or an Enforcement Officer to Testify**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 446)

The Bill was then sent to the Senate.

**House Bill 560 – Delegates Healey, Gaines, and Stewart**

AN ACT concerning

**Transportation – State Highway Administration – Traffic Calming Devices**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 447)

The Bill was then sent to the Senate.

**House Bill 633 – Delegates Lierman, Acevero, B. Barnes, Hettleman, McIntosh, Solomon, Terrasa, Valentino–Smith, and P. Young**

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings – Established**

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

Affirmative – 123 Negative – 14 (See Roll Call No. 448)

The Bill was then sent to the Senate.

**House Bill 655 – Delegate D.E. Davis**

AN ACT concerning

**Real Property – Residential Rental Licensing – Common Ownership Community Fees**

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

Affirmative – 134 Negative – 4 (See Roll Call No. 449)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 39**

**House Bill 135 – Delegates Moon, Malone, Atterbeary, Chang, Crutchfield, Cullison, Fraser–Hidalgo, Guyton, Hettleman, Hill, Jalisi, Kaiser, Kelly, Kipke, Lisanti, Luedtke, McKay, Parrott, Rose, Shetty, Shoemaker, Stein, Stewart, Sydnor, Valderrama, ~~and K. Young~~ K. Young, and Cardin**

AN ACT concerning

**Criminal Law – Cruelty to Animals – ~~Seizure and Removal~~ Payment of Costs**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 450)

The Bill was then sent to the Senate.

**House Bill 307 – Delegates Pena–Melnyk, Rosenberg, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Bridges, Brooks, Carey, Chang, Charkoudian, Charles, Conaway, D.E. Davis, Fennell, W. Fisher, Gaines, Glenn, Harrison, Haynes, Hettleman, Hill, Holmes, Howard, Ivey, Jackson, Kipke, Lehman, J. Lewis, R. Lewis, Lierman, Love, Malone, McIntosh, Moon, Mosby, Patterson, Proctor, Queen, Rogers, Saab, Sample–Hughes, Shetty, Smith, Stein, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wells, ~~and Wilkins~~ Wilkins, Cox, Cardin, Lopez, Crutchfield, McComas, and Arikan**

AN ACT concerning

**Maryland Lynching Truth and Reconciliation Commission**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 451)

The Bill was then sent to the Senate.

**House Bill 679 – The Speaker (By Request – Workplace Harassment Commission) and Delegate Jones**

AN ACT concerning

**Workplace Harassment – Prohibitions, Liability, ~~and~~ Enforcement, and Prevention Training**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the Senate.

**House Bill 689 – Delegates Carey and D.E. Davis**

AN ACT concerning

~~**Electricity – Customer Choice – Education**~~
**Public Utilities – Electricity and Natural Gas Suppliers – Information**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 453)

The Bill was then sent to the Senate.

**House Bill 825 – Delegate Holmes**

AN ACT concerning

**Condominiums and Homeowners Associations – Amendments to Declarations and Governing Documents**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 454)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 46

**House Bill 100 – The Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2020)**

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

Affirmative – 124 Negative – 14 (See Roll Call No. 455)

The Bill was then sent to the Senate.

**House Bill 1407 – Chair, Appropriations Committee**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2019**

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

Affirmative – 106 Negative – 31 (See Roll Call No. 456)

The Bill was then sent to the Senate.

## APPROPRIATIONS COMMITTEE REPORT NO. 7

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 464 – Delegates Hettleman, Jackson, Jones, Korman, McIntosh, and P. Young**

AN ACT concerning

**Private Career Schools and For–Profit Institutions of Higher Education – Disclosures and Regulation**

**HB0464/764265/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 464
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Private" insert "Consumer Protection –"; in line 3, strike "and Regulation"; strike beginning with "prohibiting" in line 8 down through "term;" in line 13; and in line 13, strike "the regulation of" and substitute "disclosures required to be made by".

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 29, after the semicolon insert "**AND**".

On page 3, strike beginning with "**; AND**" in line 1 down through "**YEARS**" in line 4.

On pages 3 through 5, strike in their entirety the lines beginning with line 21 on page 3 through line 26 on page 5, inclusive.

On page 5, in line 27, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 822 – Delegates Hettleman, Acevero, Korman, Terrasa, Valentino–Smith, and P. Young**

AN ACT concerning

**University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions**

**HB0822/214462/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 822
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "a" insert "certain"; in line 8, strike "under certain circumstances"; and in line 10, after "for" insert "certain".

AMENDMENT NO. 2

On page 2, in line 21, strike the brackets; in line 22, strike the first set of brackets; strike beginning with "**FACULTY**" in line 29 down through "**ADMINISTRATORS**" in line 30 and substitute "**ANY EMPLOYEE WHO IS NOT REPRESENTED BY AN EXCLUSIVE REPRESENTATIVE UNDER TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE**".

On page 3, in line 1, after "**(A)**" insert "**THIS SECTION APPLIES ONLY TO A REGULAR FULL–TIME OR PART–TIME EMPLOYEE WHO IS REPRESENTED BY AN EXCLUSIVE REPRESENTATIVE UNDER TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.**

**(B)**";

strike beginning with "**(I)**" in line 6 down through the first "**THE**" in line 8 and substitute "**THE**"; and strike in their entirety lines 11 through 15, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 891 – Delegates Haynes, Hettleman, Jackson, Krimm, Reznik, and Valentino–Smith**

AN ACT concerning

**State Personnel – Grievance Procedures**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1066 – Delegates Valentino–Smith, Lierman, and P. Young**

AN ACT concerning

**Family Investment Program – Transitional Assistance for Education Pilot Program**

**HB1066/464564/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1066
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Transitional Assistance for Education Pilot Program" and substitute "Work Activity Requirement – Authorized Activities and Report"; strike beginning with "establishing" in line 4 down through "Program" in line 20 and substitute "requiring the Department of Human Services to allow a certain applicant for or recipient of assistance under the Family Investment Program to meet a certain work activity requirement by participating in certain education or vocational training programs in a certain manner for a certain maximum time period; authorizing the Department to suspend the application of certain provisions of law under certain circumstances; requiring the Department to report certain information to the General Assembly on or before a certain date each year; defining certain terms; providing for a delayed effective date; and generally relating to work activity requirements under the Family Investment Program"; in line 23, strike "(g) and 5–312(f)(1)" and substitute "(h)"; and in line 28, strike "5–312(f)(2)" and substitute "5–308(a)".

On page 2, in line 4, strike "5–312.1" and substitute "5–322".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 16 and 17 and substitute:

"(h) "Work activity" means:

(1) job search activity;

(2) subsidized employment in either the public or private sector;

(3) work experience;

(4) on–the–job training;

(5) community service;

(6) training directly related to employment; or

(7) education directly related to employment.

5–308.

(a) (1) **(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(II) "TARGET WORK RATE" MEANS THE RATE ESTABLISHED FOR THE STATE BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES BASED ON THE STATE'S CASELOAD REDUCTION CREDIT UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22–601 ET SEQ.**

**(III) "WORK PARTICIPATION RATE" MEANS THE FEDERAL WORK PARTICIPATION RATE ESTABLISHED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22–601 ET SEQ.**

**(2)** A family may be eligible for assistance under this subtitle only if the family includes:

(i) a minor child who resides with a custodial parent or other adult caretaker who is a relative of the child; or

(ii) a pregnant individual.

**[**(2)**] (3)** Assistance shall be provided to an applicant or recipient under this subtitle only if the applicant or recipient:

(i) resides in the State at the time of application for assistance;

(ii) if applicable:

1. has applied for child support services with the appropriate local child support enforcement office at the time of application for assistance; and

2. complies with the requirements of the local child support enforcement office;

(iii) has engaged in job search activities as requested by the Department;

(iv) participates in work activity under this subtitle; and

(v) meets all other FIP requirements that the Secretary establishes by regulation.

**(4) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE DEPARTMENT SHALL ALLOW AN APPLICANT OR A RECIPIENT TO MEET THE WORK ACTIVITY REQUIREMENT FOR A MAXIMUM OF 24 MONTHS BY ENGAGING IN:**

**(I) A MINIMUM OF 20 HOURS PER WEEK OF VOCATIONAL EDUCATIONAL TRAINING THAT IS DIRECTLY RELATED TO EMPLOYMENT AND LEADS TO AN ASSOCIATE DEGREE, A DIPLOMA, OR A CERTIFICATE; OR**

**(II) AN AVERAGE OF AT LEAST 20 HOURS PER WEEK OF EDUCATION DIRECTLY RELATED TO EMPLOYMENT, WHICH MAY INCLUDE:**

**1. AN ADULT BASIC EDUCATION PROGRAM;**

**2. AN ENGLISH AS A SECOND LANGUAGE PROGRAM; OR**

**3. A GED PROGRAM.**

**(5) IF THE WORK PARTICIPATION RATE DOES NOT EXCEED THE TARGET WORK RATE BY 10% IN ANY MONTH, THE DEPARTMENT, AFTER PROVIDING AT LEAST 30 DAYS PRIOR NOTICE TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, MAY SUSPEND THE APPLICATION OF PARAGRAPH (4) OF THIS SUBSECTION UNTIL THE WORK PARTICIPATION RATE EXCEEDS THE TARGET WORK RATE BY 10% FOR 3 CONSECUTIVE MONTHS.**

**5–322.**

**(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION FOR THE PRECEDING YEAR:**

**(1) THE NUMBER OF RECIPIENTS WHO ENGAGED IN EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING DIRECTLY RELATED TO EMPLOYMENT;**

**(2) THE NUMBER OF RECIPIENTS WHO COMPLETED EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING DIRECTLY RELATED TO EMPLOYMENT;**

**(3) THE NUMBER OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING DIRECTLY RELATED TO EMPLOYMENT; AND**

**(4) THE AVERAGE EARNINGS OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING DIRECTLY RELATED TO EMPLOYMENT.**

**(B) THE INFORMATION IN THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE BROKEN DOWN BY THE TYPES OF EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING PROGRAM IN WHICH THE RECIPIENTS ENGAGED, INCLUDING:**

**(1) ASSOCIATE DEGREE PROGRAMS;**

**(2) VOCATIONAL EDUCATIONAL TRAINING PROGRAMS THAT DO NOT LEAD TO AN ASSOCIATE DEGREE;**

**(3) POSTSECONDARY EDUCATION PROGRAMS THAT ARE NOT INCLUDED IN ITEMS (1) OR (2) OF THIS SUBSECTION;**

**(4) ADULT BASIC EDUCATION PROGRAMS;**

**(5) ENGLISH AS A SECOND LANGUAGE PROGRAMS; AND**

**(6) GED PROGRAMS.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.".

On pages 2 through 4, strike in their entirety the lines beginning with line 18 on page 2 through line 22 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1113 – Delegates Hettleman and Busch**

AN ACT concerning

**State Government – Office of Program Evaluation and Government Accountability and Maryland Program Evaluation Act**

**HB1113/934869/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1113

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "Committee;" insert "altering the powers and duties of the Committee;".

On page 2, strike beginning with "and" in line 2 down through "Appeals" in line 3; and in line 34, after "2–602," insert "2–605,".

AMENDMENT NO. 2

On page 3, after line 28, insert:

"2–605.

In addition to any powers and duties set forth elsewhere, the Committee shall:

(1) review audit reports issued by the Legislative Auditor and submit findings and recommendations to the General Assembly with respect to issues in audit reports; **[**and**]**

(2) review the audit process and procedures and provide comment and recommendations to the President and the Speaker, the Executive Director of the Department of Legislative Services, and the Legislative Auditor**;**

**(3) REVIEW PERFORMANCE EVALUATIONS CONDUCTED AND REPORTS ISSUED BY THE OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY AND SUBMIT FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY WITH RESPECT TO ISSUES RAISED IN THE PERFORMANCE EVALUATIONS AND REPORTS; AND**

**(4) REVIEW THE PERFORMANCE EVALUATION PROCESS AND PROCEDURES AND PROVIDE COMMENT AND RECOMMENDATIONS TO THE PRESIDENT AND THE SPEAKER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LEGISLATIVE SERVICES, AND THE DIRECTOR OF THE OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY**.".

On page 5, in line 18, strike "**EACH CLERK OF COURT,**"; in the same line, strike the second comma; and in line 21, after "**LEGISLATIVE**" insert "**OR JUDICIAL**".

On page 12, in line 6, after "**PUBLIC**" insert "**ONLINE AND**"; strike beginning with "**AND**" in line 27 down through "**APPEALS**" in line 28; and in line 29, strike "**AND THE JUDICIARY, RESPECTIVELY,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1240 – Delegates Acevero, Bhandari, Haynes, Hettleman, Hill, R. Lewis, McKay, Reznik, Sample–Hughes, Solomon, Sydnor, Terrasa, and P. Young**

AN ACT concerning

**State Personnel – Maryland Department of Health – Pay Rates**

**HB1240/484367/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1240
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "McKay,"; in line 2, strike "Maryland Department of Health –" and substitute "Merit"; in the same line, strike "Rates"; strike beginning with "requiring" in line 3 down through "date" in line 8 and substitute "requiring the Governor to include a certain appropriation in the budget for merit pay increases for certain permanent employees in the Executive Branch of State government in a certain fiscal year; providing that the provisions of this Act may not be construed to prohibit the negotiation of certain economic terms of a memorandum of understanding"; in line 8, after "to" insert "merit"; in the same line, strike "rates" and substitute "increases"; in the same line, after "for" insert "State"; and in line 9, strike "Maryland Department of Health" and substitute "Executive Branch of State government".

AMENDMENT NO. 2

On page 1, in line 19, strike "**(1)**".

On pages 1 and 2, strike beginning with "**THE**" in line 19 on page 1 down through "**EMPLOYEE**" in line 8 on page 2 and substitute "**A PERMANENT EMPLOYEE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT WHO IS NOT:**

**(1) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR**

**(2) (I) ELECTED TO A POSITION BY POPULAR VOTE;**

**(II) IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR**

**(III) INCLUDED IN THE EXECUTIVE PAY PLAN**".

On page 2, strike beginning with "**PAY**" in line 9 down through "**ATTENDANT**" in line 23 and substitute "**GOVERNOR SHALL INCLUDE AT LEAST $94,178,000 FROM ANY FUND SOURCE IN THE FISCAL 2021 BUDGET FOR THE PURPOSE OF PROVIDING A MERIT PAY INCREASE FOR ANY EMPLOYEE DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION WHOSE OVERALL PERFORMANCE IS RATED SATISFACTORY OR ABOVE ON THE EMPLOYEE'S ANNUAL PERFORMANCE APPRAISAL.**

**(C) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN EXCLUSIVE REPRESENTATIVE AND AN EMPLOYER FROM NEGOTIATING ANY ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING THAT EXCEED THE MERIT PAY INCREASES REQUIRED UNDER SUBSECTION (B) OF THIS SECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1404 – Delegates McIntosh, Anderson, Boyce, Bridges, Conaway, Glenn, Haynes, Hettleman, Jalisi, Jones, Lafferty, R. Lewis, Lierman, Mosby, Rosenberg, Smith, and Wells**

AN ACT concerning

**Economic Development – Baltimore Symphony Orchestra – Funding and Workgroup**

**HB1404/754767/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1404
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wells" and substitute "Wells, and Solomon".

AMENDMENT NO. 2

On page 2, in line 11, strike "two" and substitute "three".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 8**

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 92 – Delegate Dumais**

AN ACT concerning

**Public Safety – Handgun Permits – Payment of Fees**

**HB0092/962215/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 92
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike "is required to" and substitute "may"; and in line 4, strike "any method of" and substitute "for payment by credit card or a method of online".

AMENDMENT NO. 2

On page 2, in line 10, strike "**SHALL**"; in lines 10 and 11, in each instance, strike the bracket; in line 11, strike "or"; in the same line, after "order" insert "**, CREDIT CARD, OR**"; and in the same line, after "**OF**" insert "**ONLINE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 425 – Delegates Sydnor and Pena–Melnyk**

AN ACT concerning

**Civil Actions – Unfair, Abusive, or Deceptive Trade Practices by Mortgage Servicer – Statute of Limitations**

**HB0425/462110/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 425
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "retroactive".

AMENDMENT NO. 2

On page 2, in line 17, strike "**LATER**" and substitute "**EARLIER**"; in line 18, strike "**12**" and substitute "**7**"; and strike beginning with "**3**" in line 20 down through "**PRACTICE**" in line 22 and substitute "**IF THE MORTGAGE SERVICER DISCLOSES ITS UNFAIR,**

**ABUSIVE, OR DECEPTIVE TRADE PRACTICE TO THE HOMEOWNER, 3 YEARS AFTER THE DISCLOSURE TO THE HOMEOWNER**".

AMENDMENT NO. 3

On page 2, strike beginning with "revive" in line 24 down through "2019" in line 25 and substitute "any action not yet barred by the application of the period of limitations applicable before the effective date of this Act"; and in line 27, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wivell moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 433 – Delegates Fraser–Hidalgo, Pena–Melnyk, Atterbeary, Barve, Korman, Shetty, and Wilkins**

AN ACT concerning

**Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility**
**(Freedom to Serve Act)**

**HB0433/202717/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 433
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "circumstances;" insert "providing for the construction of this Act;".

On page 2, in lines 11, 14, and 17, strike "**(C)**", "**(D)**", and "**(E)**", respectively, and substitute "**(B)**", "**(C)**", and "**(D)**", respectively.

AMENDMENT NO. 2

On page 2, strike beginning with "**OR**" in line 8 down through "**OBTAIN**" in line 9; strike beginning with "**WITHIN**" in line 9 down through "**AGENCY**" in line 10; strike beginning with "**OR**" in line 11 down through "**SECTION**" in line 13 and substitute "**UNITED STATES CITIZENSHIP WITHIN 10 YEARS OF THE OFFICER'S EMPLOYMENT START DATE WITH THE LAW ENFORCEMENT AGENCY**"; after line 18, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to establish a cause of action against a law enforcement agency for failure to hire an individual who is not a citizen of the United States.";

and in line 19, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Mautz moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 713 – Delegate Rosenberg**

AN ACT concerning

**Jury Duty – Individuals Qualified for Jury Service Living Outside the United States**

**HB0713/752818/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 713
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "date" insert "or certain period of time".

AMENDMENT NO. 2

On page 2, in line 18, after "**(II)**" insert "**1.**"; in line 19, after "**STATES**" insert "**; OR**

**2. THAT THE INDIVIDUAL HAS NO DETERMINED DATE OF RETURN TO THE UNITED STATES**";

strike beginning with "**AFTER**" in line 20 down through "**A**" in line 21 and substitute "**A**"; in line 22, strike "**THE INDIVIDUAL**" and substitute "**AN INDIVIDUAL WHO SUBMITS AN AFFIDAVIT UNDER PARAGRAPH (1) OF THIS SUBSECTION**"; and in the same line, after "**SERVICE**" insert "**:**

**(I) AFTER THE DATE PROVIDED BY THE INDIVIDUAL IN AN AFFIDAVIT UNDER PARAGRAPH (1)(II)1 OF THIS SUBSECTION; OR**

**(II) NOT EARLIER THAN 5 YEARS AFTER RECEIPT OF AN AFFIDAVIT STATING THAT THE INDIVIDUAL HAS NO DETERMINED DATE OF RETURN UNDER PARAGRAPH (1)(II)2 OF THIS SUBSECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 848 – Delegates McComas, Malone, Metzgar, and Parrott**

AN ACT concerning

**Courts – Documentary Evidence – Protective Order**

**HB0848/792917/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 848
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Parrott" and substitute "Parrott, Arikan, Cardin, and Grammer"; and strike beginning with "suspending" in line 8 down through "contrary;" in line 10.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 24 through 30, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 10

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 586 – Delegate Wilson**

AN ACT concerning

**Public Safety – Solar Photovoltaic Systems – Lockout Tag Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 650 – Delegates Korman and Barve**

AN ACT concerning

**Energy Storage Pilot Project Act**

**HB0650/543193/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 650
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "an application" and substitute "applications"; in line 18, after "program;" insert "requiring an investor–owned electric company to solicit proposals and apply for Commission approval of certain projects on or before certain dates; requiring the Commission to make a certain determination on or before a certain date; requiring the Commission to solicit comments from certain stakeholders and hold a hearing on certain applications; requiring the Commission to approve, approve with modification, or reject a certain application; requiring an investor–owned electric company to submit a certain amended application within a certain time period; requiring the Commission to approve, approve with modifications, or reject a certain amended application within a certain period of time; authorizing the Commission to establish certain interim deadlines;"; in line 19, strike "a certain date;" and substitute "certain dates;"; strike beginning with "authorizing" in line 21 down through "date;" in line 23 and substitute "requiring the Commission to determine which data related to the projects may be made available only to certain persons and which data related to the projects may be made available to the public; authorizing the Commission to extend the pilot program and delay by a corresponding amount of time a certain evaluation and report under certain circumstances; requiring the Commission to submit a certain interim report to the General Assembly on or before a certain date;"; in line 24, after "date" insert "under certain circumstances"; and in line 26, after "company;" insert "providing that the termination of the pilot program does not affect certain cost recovery by an investor–owned electric company;".

AMENDMENT NO. 2

On page 2, in line 11, strike "**DISPATCHING**" and substitute "**DELIVERING**".

On page 3, in line 5, after "**WOULD**" insert "**:**

**(I)**";

after line 6, insert:

"**(II) ALLOW THE THIRD PARTY TO OPERATE THE PROJECT IN WHOLESALE MARKETS OR OTHER APPLICATIONS WHEN THE PROJECT IS NOT PROVIDING GRID SERVICES; AND**";

in lines 14 and 15, strike "**AN APPLICATION**" and substitute "**APPLICATIONS**"; in line 17, after "**SECTION**" insert "**, ONE OF WHICH MUST BE FROM A MODEL DESCRIBED IN SUBSECTION (C)(3) OR (4) OF THIS SECTION**"; and in lines 29 and 30, strike "**OR OTHERWISE OFFERS NET SOCIETAL BENEFITS**".

On page 4, in line 1, strike "**EACH**" and substitute "**THE**"; in line 11, strike "**AND**"; and in line 14, after "**BENEFITS;**" insert "**AND**

**(VI) THE ESTIMATED IMPACT OF EACH PROJECT ON THE INVESTOR–OWNED ELECTRIC COMPANY'S RATES FOR EACH CLASS OF CUSTOMER;**".

On page 5, in lines 24 and 25, strike "**FEBRUARY 28, 2020**" and substitute "**JUNE 1, 2019**"; in line 26, after "**(2)**" insert "**(I)**"; in lines 26 and 27, strike "**FEBRUARY 28, 2021: (I)**" and substitute "**APRIL 15, 2020,**"; in line 28, strike the semicolon and substitute "**FOR THE FIRST ENERGY STORAGE PROJECT REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.**

**(II) ON OR BEFORE SEPTEMBER 15, 2020, EACH INVESTOR–OWNED ELECTRIC COMPANY SHALL SOLICIT PROPOSALS AND APPLY FOR COMMISSION APPROVAL FOR THE SECOND ENERGY STORAGE PROJECT REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.**";

in line 29, strike "**(II)**" and substitute "**(3) ON OR BEFORE APRIL 15, 2021: (I)**";

and in line 31, strike "**(III)**" and substitute "**(II)**".

On page 6, after line 1, insert:

"**(4) (I) THE COMMISSION SHALL SOLICIT COMMENTS FROM THE MARYLAND ENERGY ADMINISTRATION, THE OFFICE OF PEOPLE'S COUNSEL, AND OTHER STAKEHOLDERS AND HOLD A HEARING ON EACH APPLICATION SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION.**

**(II) THE COMMISSION SHALL APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT AN APPLICATION SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION AFTER:**

**1. RECEIVING COMMENTS FROM THE MARYLAND ENERGY ADMINISTRATION, THE OFFICE OF PEOPLE'S COUNSEL, AND OTHER STAKEHOLDERS AND HOLDING A HEARING;**

**2. CONSIDERING THE PROJECTED COSTS AND BENEFITS OF THE PROJECTS PROPOSED FOR INCLUSION IN THE PILOT PROGRAM; AND**

**3. DETERMINING WHETHER THE PROJECT IS IN THE PUBLIC AND RATEPAYER INTEREST.**

**(5) (I) IF THE COMMISSION REJECTS AN APPLICATION, WITHIN 3 MONTHS AFTER RECEIVING NOTICE OF THE REJECTION OF AN APPLICATION, THE INVESTOR–OWNED ELECTRIC COMPANY SHALL SUBMIT AN AMENDED APPLICATION FOR COMMISSION APPROVAL.**

**(II) THE COMMISSION SHALL APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT AN AMENDED APPLICATION WITHIN 3 MONTHS AFTER RECEIPT OF THE AMENDED APPLICATION.**";

in line 2, strike "**(3)**" and substitute "**(6)**"; after line 7, insert:

"**(III) THE COMMISSION MAY ESTABLISH ADDITIONAL INTERIM DEADLINES.**";

in line 8, strike "**(4)**" and substitute "**(7)**"; in the same line, strike "**FEBRUARY 28, 2023,**" and substitute "**JULY 1 OF 2023, 2024, AND 2025,**"; and in line 9, after "**COMMISSION**" insert "**, THE MARYLAND ENERGY ADMINISTRATION, AND THE OFFICE OF PEOPLE'S COUNSEL**".

On page 9, in line 14, strike "**AN**" and substitute "**SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, AN**"; after line 19, insert:

"**(IV) AFTER RECEIVING COMMENTS FROM ALL PARTIES, THE COMMISSION SHALL DETERMINE:**

**1. WHICH DATA RELATED TO THE PROJECTS SHALL BE MADE AVAILABLE ONLY TO THE TECHNICAL STAFF OF THE COMMISSION AND THE OFFICE OF PEOPLE'S COUNSEL; AND**

**2. WHICH DATA RELATED TO THE PROJECTS SHALL BE MADE AVAILABLE TO THE PUBLIC.**";

in line 20, strike "**2023**" and substitute "**2026**"; strike in their entirety lines 23 and 24 and substitute "**PROGRAM, THE COMMISSION MAY EXTEND THE PILOT PROGRAM AND DELAY BY A CORRESPONDING AMOUNT OF TIME THE EVALUATION AND REPORT REQUIRED UNDER SUBSECTION (K) OF THIS SECTION.**"; in line 25, strike "**ON OR BEFORE DECEMBER 31, 2023,**" and substitute "**ON OR BEFORE JULY 1, 2024, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE COMMISSION SHALL SUBMIT AN INTERIM REPORT TO THE GENERAL ASSEMBLY THAT PROVIDES AN INITIAL EVALUATION OF THE PROJECTS APPROVED UNDER THIS SECTION BASED ON:**

**(1) PROJECT COSTS;**

**(2) VALUE STREAMS;**

**(3) ANY REDUCTION IN SYSTEM COSTS;**

**(4) ANY ISSUES ENCOUNTERED IN THE EARLY IMPLEMENTATION PHASE; AND**

**(5) AN ANALYSIS OF ANY FUNDS GENERATED FROM THE WHOLE MARKET.**

**(K) (1) EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, ON OR BEFORE JULY 1, 2026, IN CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION AND THE OFFICE OF PEOPLE'S COUNSEL,**";

and in lines 27, 28, and 30, strike "**(1)**", "**(2)**", and "**(3)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively.

On page 10, in lines 2, 3, 6, 8, 9, and 11, strike "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively, and substitute "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", "**(VIII)**", and "**(IX)**", respectively; in line 13, strike "**(K)**" and substitute "**(2)**"; in the same line, strike "**2023**" and substitute "**2026**"; in line 15, strike "**SUBSECTION (J) OF THIS SECTION**" and substitute "**PARAGRAPH (1) OF THIS SUBSECTION**"; after line 19, insert:

"**(M) (1) UNLESS THE COMMISSION EXTENDS THE PILOT PROGRAM IN ACCORDANCE WITH SUBSECTION (I) OF THIS SECTION, THE PILOT PROGRAM SHALL TERMINATE ON DECEMBER 31, 2026.**

**(2) THE TERMINATION OF THE PILOT PROGRAM MAY NOT AFFECT THE COST RECOVERY BY AN INVESTOR–OWNED ELECTRIC COMPANY FOR THE LIFETIME OF AN ENERGY STORAGE PROJECT.**";

and in line 21, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 671 – Delegates Rogers, Bagnall, Bartlett, Branch, Carey, Chang, Crosby, D.E. Davis, Fennell, Lisanti, McIntosh, Sample–Hughes, C. Watson, and Wilson**

AN ACT concerning

**Household Goods Movers Registration**

**HB0671/613593/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 671
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, and Howard".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 683 – Delegates Clippinger, Carey, Charkoudian, Dumais, Fennell, Lisanti, Qi, Valderrama, C. Watson, and Wilson**

AN ACT concerning

**Electricity – Community Solar Energy Generating Systems Pilot Program – Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 777 – Delegates Howard, Beitzel, Branch, Buckel, Carey, Charkoudian, Chisholm, Ciliberti, Corderman, Fennell, Hill, Lisanti, Malone, McComas, McKay, Qi, Rose, Saab, Valderrama, and Wilson**

AN ACT concerning

**Commercial Law – Credit Card Processors – Service Agreements**

**HB0777/953299/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 777
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Boteler, and R. Lewis"; in line 2, strike "Service" and substitute "Merchant Processing"; in line 3, strike "requiring" and substitute "prohibiting"; strike beginning with "to" in line 3 down through "processor" in line 7 and substitute "from assessing or charging certain fees under certain circumstances"; in line 7, strike "the summary" and substitute "a merchant processing agreement"; strike beginning with the first "a" in line 8 down through "information" in line 10 and substitute "that certain information be provided in a certain manner in the merchant processing agreement"; in lines 11 and 12, strike "establishing certain civil penalties for a violation of this Act;"; in line 13, strike "service" and substitute "merchant processing"; and in line 16, strike "12–1405" and substitute "12–1404".

AMENDMENT NO. 2

On page 2, in line 13, strike "**SERVICES**" and substitute "**MERCHANT PROCESSING**"; in line 18, strike "**SERVICES**" and substitute "**MERCHANT PROCESSING**"; in line 19, strike "**THAT**" and substitute "**:**

**(1) THAT MAY BE TERMINATED WITHOUT ASSESSMENT OF FEES, FINES, PENALTIES, OR LIQUIDATED DAMAGES; OR**

**(2) IF AT THE TIME OF ENTRY INTO THE MERCHANT PROCESSING AGREEMENT, THE BUSINESS ENTITY**";

in line 20, after "**EMPLOYEES**" insert "**OR REASONABLY ESTIMATES THAT IT WILL GENERATE MORE THAN $2,000,000 IN CREDIT CARD OR ELECTRONIC COMMERCE TRANSACTIONS EACH YEAR**"; and strike beginning with "**(1)**" in line 22 down through "**PROCESSOR**" in line 28 and substitute "**IF A BUSINESS ENTITY CANCELS A MERCHANT PROCESSING AGREEMENT BEFORE THE EXPIRATION OF THE INITIAL TERM AGREED ON BY THE CREDIT CARD PROCESSOR AND THE BUSINESS ENTITY, THE CREDIT CARD PROCESSOR MAY NOT ASSESS OR CHARGE A FEE, FINE, OR PENALTY THAT EXCEEDS $500**".

On pages 2 and 3, strike beginning with "**THE**" in line 29 on page 2 down through "**PROCESSOR**" in line 10 on page 3 and substitute "**IF A BUSINESS ENTITY TERMINATES THE MERCHANT PROCESSING AGREEMENT AFTER THE EXPIRATION OF THE INITIAL TERM AGREED ON BY A CREDIT CARD PROCESSOR AND A BUSINESS ENTITY, THE CREDIT CARD PROCESSOR MAY NOT ASSESS A FEE, FINE, OR PENALTY, UNLESS A CREDIT CARD PROCESSOR AND A BUSINESS ENTITY HAVE ENTERED INTO A SEPARATE RENEWAL MERCHANT PROCESSING AGREEMENT**".

On page 3, strike beginning with "**(1)**" in line 11 down through "**APPLICABLE**" in line 24 and substitute "**SUBJECT TO SUBSECTION (D) OF THIS SECTION, A MERCHANT PROCESSING AGREEMENT SHALL DISCLOSE CLEARLY AND CONSPICUOUSLY IN BOLD, 12 POINT FONT THE FOLLOWING INFORMATION:**

**(1) THE AMOUNT OF ANY EARLY TERMINATION FEE, FINE, PENALTY, OR LIQUIDATED DAMAGES THAT MAY BE ASSESSED BY THE CREDIT CARD PROCESSOR FOR TERMINATION OF A MERCHANT PROCESSING AGREEMENT BEFORE THE EXPIRATION OF THE INITIAL TERM;**

**(2) THE EXPIRATION DATE OF THE MERCHANT PROCESSING AGREEMENT;**

**(3) THE RENEWAL DATE OF THE MERCHANT PROCESSING AGREEMENT; AND**

**(4) THE CUSTOMER SERVICE CONTACT INFORMATION OF THE CREDIT CARD PROCESSOR, INCLUDING TELEPHONE NUMBER, MAILING ADDRESS, AND E–MAIL ADDRESS.**

**(D) THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION SHALL BE:**

**(1) PROVIDED ON THE SIGNATURE PAGE OF A MERCHANT SERVICES AGREEMENT; AND**

**(2) INITIALED SEPARATELY BY THE BUSINESS ENTITY.**

**(E) THE CREDIT CARD PROCESSOR SHALL PROVIDE A COPY OF THE MERCHANT PROCESSING AGREEMENT IN ELECTRONIC OR PAPER FORM TO THE BUSINESS ENTITY AT THE TIME THE BUSINESS ENTITY SIGNS THE MERCHANT PROCESSING AGREEMENT**".

On page 4, strike in their entirety lines 1 through 10, inclusive; and in line 11, after "ENACTED," insert "That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any merchant processing agreement entered into or renewed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1167 – Delegates Haynes and Glenn**

AN ACT concerning

**Labor and Employment – Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals – Establishment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1189 – Delegates Carey, Bromwell, and P. Young**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program**

**HB1189/283694/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1189
(First Reading File Bill)

On page 7, in line 4, strike "**THE**" and substitute "**IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE CODE OF MARYLAND REGULATIONS, THE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1254 – Delegate Valderrama**

AN ACT concerning

**Governmental Units – Designation of Individual in Responsible Charge of Land Surveying and Property Line Surveying Activities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 391 – Senators Feldman, Klausmeier, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hayes, Hester, Kagan, Kelley, King, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker**

EMERGENCY BILL

AN ACT concerning

**~~Unemployment Insurance –~~ Civilian Federal Employees – Unemployment Insurance Benefits and Federal Government Shutdown Employee Assistance Loan Fund**
**(Federal Shutdown Paycheck Protection Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 425 – Senators Benson, Feldman, Guzzone, Klausmeier, Kramer, Lee, Nathan–Pulliam, Rosapepe, Simonaire, Washington, and Young**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 11

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 595 – Delegates Rogers, Bagnall, B. Barnes, Bartlett, Cain, Carey, Chang, Charkoudian, Crosby, D.E. Davis, Feldmark, Fennell, Glenn, Lisanti, C. Watson, and Wilson**

AN ACT concerning

**Workers' Compensation – Medical Presumptions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 604 – Delegates D.E. Davis, D. Barnes, Charles, Fennell, W. Fisher, Gaines, Harrison, Ivey, Proctor, Turner, Walker, and R. Watson**

AN ACT concerning

**Workers' Compensation – Medical Presumptions for Diseases and Cancer – Eligibility**

**HB0604/863698/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 604
(First Reading File Bill)

On page 2, in line 9, strike "**AND**"; in line 10, strike the bracket; strike beginning with "is" in line 10 down through the bracket in line 13 and substitute "**HAS CANCER OR LEUKEMIA WHICH RESULTS IN PARTIAL OR TOTAL DISABILITY OR DEATH; AND**"; in line 14, strike the brackets; and in the same line, strike "**(3)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 653 – Delegates D.E. Davis, Branch, Brooks, Valderrama, and Wilson**

AN ACT concerning

**Electric Companies and Gas Companies – Rate Regulation – Alternative Rate**

**Plans**

**HB0653/833898/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 653
(First Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with "prohibiting" in line 30 on page 1 down through "manner;" in line 7 on page 2.

AMENDMENT NO. 2

On page 2, in line 25, after the semicolon insert "**OR**"; strike line 26 in its entirety; in line 27, strike "**(III)**" and substitute "**(II)**"; in the same line, strike the semicolon and substitute a period; and strike in their entirety lines 28 through 31, inclusive.

On page 3, strike beginning with the period in line 5 down through "**PERIOD**" in line 8; in line 8, strike the comma; in the same line, strike "**5**" and substitute "**3**"; and strike beginning with the semicolon in line 8 down through "**INCURRED**" in line 17.

On page 4, in lines 2 and 7, in each instance, strike "**60**" and substitute "**90**".

On page 5, in line 1, strike "**THAT USES A FORMULA RATE**"; and strike in their entirety lines 18 through 32, inclusive.

On page 6, in line 2, strike "2019" and substitute "2020".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 12**

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 329 – Delegates Sydnor, D.E. Davis, Brooks, Charkoudian, Fennell, and Queen**

AN ACT concerning

**Motor Vehicle Insurance – Discrimination in Underwriting and Rating – Use of Occupation or Education Level**

**HB0329/703594/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 329
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Queen" and substitute "Queen, and Harrison"; strike beginning with "prohibiting" in line 4 down through "applicant" in line 7 and substitute "requiring the Maryland Insurance Administration to study the use of certain factors in private passenger motor vehicle insurance; requiring the Administration to review certain matters as part of the study; requiring the Administration to submit its report to certain committees on or before a certain date"; and strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

On page 1, in line 15, strike "the Laws of Maryland read as follows".

On pages 1 through 4, strike in their entirety the lines beginning with line 16 on page 1 through line 3 on page 4 and substitute:

"(a) The Maryland Insurance Administration shall study the role of occupation and educational level in policies of private passenger motor vehicle insurance.

(b) As part of the study, the Administration shall review:

(1) the history, nature, scope, and general effect of the use of occupation, educational level, or both in private passenger motor vehicle insurance in Maryland;

(2) the number of states that allow or do not allow the use of occupation, educational level, or both in private passenger motor vehicle insurance, whether or not this

is done through statute or administrative decision, and the rationale given by states for allowing or disallowing use of occupation, educational level, or both;

(3) the number of complaints involving the use of occupation, educational level, or both in private passenger motor vehicle insurance filed with the Administration in each of the past 5 years and their resolution;

(4) the impact of disallowing the use of occupation, educational level, or both in private passenger motor vehicle insurance in Maryland, including the impact on premium levels, underwriting practices, and competition; and

(5) as resources may allow, a comparison of the impact of the use of occupation, educational level, or both in private passenger motor vehicle insurance in Maryland with the impact of the use of credit history.

(c) On or before December 31, 2019, the Administration shall submit a final report on the study to the Senate Finance Committee and the House Economic Matters Committee in accordance with § 2–1246 of the State Government Article.".

On page 4, in line 5, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1105 – Delegates Miller, Arentz, Howard, and Mautz**

AN ACT concerning

**Investor–Owned Electric Companies – Acquisition of Substantial Influence – Prohibition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 10

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 518 – Delegates Szeliga, Arikan, Boteler, Brooks, Cardin, Ebersole, Feldmark, Grammer, Guyton, Hettleman, Hill, Impallaria, Lafferty, Long, Mangione, Metzgar, Stein, and P. Young**

AN ACT concerning

**Public Safety – Agritourism – Permit Exemption**

**HB0518/120116/1**
BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 518
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegates Szeliga, Arikan, Boteler, Brooks, Cardin, Ebersole, Feldmark, Grammer, Guyton, Hettleman, Hill, Impallaria, Lafferty, Long, Mangione, Metzgar, Stein, and P. Young" and substitute "Baltimore County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 639 – Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke, Lehman, Malone, Pena–Melnyk, Rogers, and Saab**

AN ACT concerning

**Anne Arundel County – Public Safety – Buildings Used for Agritourism**

**HB0639/330316/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 639
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke, Lehman, Malone, Pena–Melnyk, Rogers, and Saab" and substitute "Anne Arundel County Delegation"; in line 2, strike "Anne Arundel County –"; in lines 3 and 5, in each instance, strike "Anne Arundel County" and substitute "certain counties"; and in line 7, strike "in Anne Arundel County".

AMENDMENT NO. 2

On page 2, in line 1, after "(1)" insert "**ALLEGANY COUNTY,**"; in line 3, after "Howard County," insert "**KENT COUNTY,**"; in line 18, after "In" insert "**ALLEGANY COUNTY,**"; in line 19, strike "and"; and in the same line, after "County," insert "**KENT COUNTY, PRINCE GEORGE'S COUNTY, AND ST. MARY'S COUNTY,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 662 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Glenn Dale Hospital Property**

**MC/PG 110–19**

**HB0662/110610/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 662

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "and redevelop".

AMENDMENT NO. 2

On page 2, in line 5, strike "**AND REDEVELOP**" and substitute "**, AT A MINIMUM,**"; and in line 6, after "**PROPERTY**" insert "**BY RETURNING THE PROPERTY TO A STATE OF UTILITY, THROUGH REPAIR AND ALTERATION, THAT:**

**1. GIVES THE PROPERTY AN EFFICIENT AND CONTEMPORARY USE; AND**

**2. PRESERVES PORTIONS AND FEATURES OF THE PROPERTY THAT ARE HISTORICALLY, ARCHITECTURALLY, AND CULTURALLY SIGNIFICANT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 700 – Washington County Delegation**

AN ACT concerning

**Washington County – Code of Public Local Laws – Legalization**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 735 – Delegates Healey, Carr, Charkoudian, Ebersole, Fraser–Hidalgo, Gilchrist, Korman, Lafferty, Qi, Shetty, Stein, and Stewart**

AN ACT concerning

**Task Force on Forest Conservation in Maryland**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 735
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Technical Study on Changes in Forest Cover and Tree Canopy in Maryland"; in line 3, after "of" insert "requiring the Harry R. Hughes Center for Agro–Ecology, in consultation with the Department of Natural Resources, the Department of the Environment, the Department of Planning, the Department of Agriculture, and the Chesapeake Bay Program, to conduct a technical study to review changes in forest cover and tree canopy in the State; providing for the scope of the technical study; requiring the Harry R. Hughes Center for Agro–Ecology to submit a report of its findings 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 technical study to review changes in forest cover and tree canopy in Maryland."; and strike beginning with "establishing" in line 3 down through "Maryland." in line 11.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 14 on page 1 through line 5 on page 3, inclusive.

On page 3, after line 5, insert:

"(a) (1) The Harry R. Hughes Center for Agro–Ecology, in consultation with the Department of Natural Resources, the Department of the Environment, the Department of Planning, the Department of Agriculture, and the Chesapeake Bay Program, as appropriate, shall conduct a technical study to review changes in forest cover and tree canopy in the State.

(2) The technical study required under paragraph (1) of this subsection shall, to the extent practicable, include:";

after line 10, insert:

"(iii) an analysis of the progress toward the State's commitments to expand urban tree canopy acres and plant riparian forest buffers under the 2014 Chesapeake Bay Agreement;";

in lines 11 and 22, strike "(iii)" and "(iv)", respectively, and substitute "(iv)" and "(v)", respectively; in line 11, after "in" insert "land cover and"; in line 15, after "involving" insert "existing forest conserved,"; in line 17, after "clearing" insert ", planting,"; in line 18, after "areas" insert "and locally designated growth areas"; in line 21, after "corridors" insert ", and the zoned density and sewer status of those areas"; in the same line, after the semicolon strike "and"; and in line 28, after "programs;" insert:

"(vi) a review of forest mitigation banking in the State, including:

1. capacity and location of active banks;

2. regulation of citing and creation of new banks;

3. geographic limitations on the use of mitigation banks;

4. the relationship between fee–in–lieu rates under the Forest Conservation Act and the market for forest mitigation banks; and

5. whether expanding the use of forest mitigation banks could provide water quality improvements and other beneficial results; and

(vii) a programmatic and funding review of federal, State, and local tree and forest planting programs such as:

1. Marylanders Plant Trees;

2. Lawn to Woodland;

3. Backyard Buffers;

4. Conservation Reserve Enhance Program; and

5. other programs used to further TMDL Watershed Implementation Plans and MS4 permit compliance.

(b) On or before December 1, 2019, the Harry R. Hughes Center for Agro–Ecology shall submit a report of its findings of the technical study required under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2019. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2020, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 12 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 748 – Delegate Fraser–Hidalgo**

AN ACT concerning

**Vehicle Laws – Electric Low Speed Scooters**

**HB0748/640715/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 748
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, after "21–1202" insert "and 25–102(a)(8)".

AMENDMENT NO. 2

On page 3, in line 2, strike "**25**" and substitute "**20**"; and in line 3, strike "**ON A SMOOTH LEVEL SURFACE BY AN OPERATOR WEIGHING 175 POUNDS**".

AMENDMENT NO. 3

On page 5, after line 3, insert:

"25–102.

(a) The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction:

(8) Regulating the operation of bicycles, requiring them to be registered, and imposing a registration fee;".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 939 – Delegate Cassilly**

AN ACT concerning

**Vehicle Laws – Electric Bicycles – Equipment and Operation**

**HB0939/410418/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 939
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Cassilly" and substitute "Delegates Cassilly, Cardin, Boyce, Clark, Fraser–Hidalgo, Holmes, Jacobs, Jalisi, Lehman, and Otto"; and in line 7, after "bicycle" insert "on a public highway".

AMENDMENT NO. 2

On page 3, in line 21, after "**BICYCLE**" insert "**ON A PUBLIC HIGHWAY**"; and in line 28, before "**LABEL**" insert "**STANDARDIZED**".

On page 4, in line 12, strike "**(1)**"; in line 13, after "**FUNCTION**" insert "**:**

**(1)**";

in the same line, strike "**WHEN**" and substitute "**WHEN**"; in line 14, strike the period and substitute "**; OR**

**(2) FOR A CLASS 1 OR CLASS 3 ELECTRIC BICYCLE, WHEN THE OPERATOR STOPS PEDALING.**";

and strike in their entirety lines 15 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1243 – Delegates Attar, Fraser–Hidalgo, Cardin, Lehman, Lierman, and Smith**

AN ACT concerning

**Motor Scooter Sharing Companies – Nonvisual Access**

**HB1243/290219/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1243
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Smith" and substitute "Smith, Barve, Boyce, Bridges, Cassilly, Ciliberti, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Jalisi, Lafferty, Love, Otto, Stein, Stewart, Wells, and Wivell"; in line 2, after "Motor" insert "and Electric"; in line 4, strike "a" and substitute "or electric low speed scooter made available to the public an embossed"; in line 5, after "motor" insert "or electric"; in line 8, after "motor" insert "and electric"; and in line 16, after "Motor" insert "and Electric".

AMENDMENT NO. 2

On page 2, in line 11, after "**MOTOR**" insert "**AND ELECTRIC**"; in line 15, after "**MOTOR**" insert "**OR ELECTRIC**"; in line 16, after "**SCOOTERS**" insert "**OR ELECTRIC LOW SPEED SCOOTERS**"; in lines 22 and 25, in each instance, after "**MOTOR**" insert "**OR ELECTRIC**"; and in line 23, strike "**A**" and substitute "**OR ELECTRIC LOW SPEED SCOOTER MADE AVAILABLE TO THE PUBLIC AN EMBOSSED**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 9

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 113 – Delegates Moon, Hornberger, Atterbeary, Barron, Charkoudian, Kittleman, J. Lewis, Lierman, Luedtke, Palakovich Carr, Sydnor, Washington, and Wilkins**

AN ACT concerning

**Criminal Law – Gaming – Civil Offense**

**HB0113/935961/1**
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 113
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "penalties;" insert "requiring a court to order the Maryland Department of Health, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a court to order the Department, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a defendant to request a certain assessment; requiring a court to state the basis of its decision on the record if the court denies a certain request; requiring the Department, or a certain designee, to conduct an assessment and provide certain information to certain persons under certain circumstances; authorizing a court, under

certain circumstances, to hold a case sub curia pending certain receipt of proof of completed treatment;".

AMENDMENT NO. 2

On page 4, in line 1, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**"; and in line 7, after "**(2)**" insert "**(I) IF AN INDIVIDUAL UNDER THE AGE OF 21 YEARS IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT SHALL ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:**

**1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND**

**2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.**

**(II) IF AN INDIVIDUAL AT LEAST 21 YEARS OLD IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT MAY ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:**

**1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND**

**2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.**

**(III) AN ASSESSMENT FOR PROBLEM GAMBLING DISORDER MAY BE REQUESTED BY A DEFENDANT CHARGED WITH VIOLATING THIS SECTION.**

**(IV) IF A COURT DENIES THE REQUEST UNDER SUBPARAGRAPH (III) OF THE PARAGRAPH, THE COURT SHALL STATE ON THE RECORD THE BASIS FOR THE DENIAL.**

**(3) ON RECEIVING AN ORDER UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE MARYLAND DEPARTMENT OF HEALTH, OR THE DESIGNEE, SHALL CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER AND PROVIDE THE RESULTS TO THE COURT, THE DEFENDANT OR DEFENDANT'S ATTORNEY, AND THE STATE IDENTIFYING THE DEFENDANT'S PROBLEM GAMBLING TREATMENT NEEDS.**

**(4) A COURT THAT ORDERS A PERSON TO A PROBLEM GAMBLING ASSESSMENT TREATMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY HOLD THE CASE SUB CURIA PENDING RECEIPT OF PROOF OF COMPLETION OF THE ASSESSMENT OR TREATMENT.**

**(5)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 132 – Delegates Reznik, Acevero, Bagnall, Barve, Beitzel, Bhandari, Boyce, Buckel, Crutchfield, Ebersole, Gaines, Haynes, Jones, Kipke, R. Lewis, Lierman, McKay, Pena–Melnyk, Shetty, Stewart, Terrasa, Wells, and K. Young**

AN ACT concerning

**Education – Robotics Grant Program – Alterations**

**HB0132/395265/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 132
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and K. Young" and substitute "K. Young, Washington, and Palakovich Carr"; in line 4, strike "nonprofit"; in the same line, strike

"and community clubs"; strike beginning with "repealing" in line 4 down through "Program;" in line 6; and in line 7, after "budget;" insert "requiring the State Department of Education to award grants in a certain manner; defining a certain term;".

AMENDMENT NO. 2

On page 1, after line 17, insert:

"**(A) IN THIS SECTION, "ELIGIBLE ORGANIZATION" MEANS A NONPROFIT ORGANIZATION THAT:**

**(1) PROVIDES YOUTH WITH AN OUT–OF–SCHOOL TIME EXPERIENCE THAT FOCUSES ON PERSONAL AND WORKFORCE DEVELOPMENT; AND**

**(2) SERVES PUBLIC SCHOOL STUDENTS AS A MAJORITY OF ITS PARTICIPATING YOUTH.**";

in line 18, strike "(a)" and substitute "**(B)**"; in line 19, strike the brackets; in the same line, strike the comma; in line 20, strike "nonprofit" and substitute "**ELIGIBLE**"; and in the same line, strike "**, AND COMMUNITY** clubs".

On page 2, in lines 1, 7, 9, and 11, strike "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively; in line 1, strike the brackets; in the same line, strike "**, A NONPROFIT ORGANIZATION, OR A COMMUNITY CLUB**" and substitute "**OR AN ELIGIBLE ORGANIZATION**"; in lines 2 and 3, strike "**, NONPROFIT ORGANIZATION, OR COMMUNITY CLUB**" and substitute "**OR ELIGIBLE ORGANIZATION**"; in line 5, strike the opening bracket; in the same line, strike "existing nonprofit robotics club" and substitute "**ELIGIBLE ORGANIZATION**"; in line 6, after "section" insert "**ONLY**"; in the same line, strike "nonprofit robotics club" and substitute "**ELIGIBLE ORGANIZATION**"; in the same line, strike the closing bracket; in line 8, strike "**$500,000**" and substitute "**$350,000**"; in line 9, before "The" insert "**(1)**"; and after line 10, insert:

"**(2) TO THE EXTENT PRACTICABLE, THE DEPARTMENT SHALL AWARD GRANTS TO ENSURE GEOGRAPHIC DIVERSITY AMONG THE GRANTEES.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 256 – Delegates Wilkins, Acevero, D. Barnes, Cain, Ebersole, Guyton, Ivey, Luedtke, Mosby, Patterson, Smith, Walker, and Washington**

AN ACT concerning

**State Department of Education – Guidelines on Trauma–Informed Approach**

**HB0256/595668/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 256
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Washington" and substitute "Washington, and Palakovich Carr"; strike beginning with "establishing" in line 3 down through "Education;" in line 4; strike beginning with the comma in line 7 down through "system" in line 8; in line 10, strike "to develop a certain website" and substitute "publish certain guidelines on a certain website"; strike beginning with "requiring" in line 10 down through "State;" in line 29; and in line 30, strike "Trauma–Informed Schools Initiative," and substitute "guidelines on the trauma–informed approach.".

On page 2, strike in their entirety lines 1 and 2; and strike in their entirety lines 8 through 22, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 29 through 32, inclusive; and in line 33, strike "**(4)**" and substitute "**(2)**".

On page 3, in line 1, strike "**(5)**" and substitute "**(3)**"; strike beginning with "**THERE**" in line 10 down through "**(2)**" in line 12; strike beginning with the colon in line 13 down through "**DEVELOP**" in line 14 and substitute "**DEVELOP**"; in lines 16, 18, 20, 22, and 25, strike "**1.**", "**2.**", "**3.**", "**4.**", and "**5.**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**",

and "**(V)**", respectively; in line 25, strike the semicolon and substitute a period; and strike in their entirety lines 26 through 28, inclusive.

On page 4, strike in their entirety lines 1 through 4, inclusive; in line 5, strike "**(3)**" and substitute "**(2)**"; in line 7, strike "**PARAGRAPH (2)(I) OF**"; in line 8, strike "**DEVELOP A WEBSITE**" and substitute "**PUBLISH THE GUIDELINES**"; and in line 9, strike "**THAT INCLUDES:**" and substitute "**ON THE DEPARTMENT'S WEBSITE.**".

On pages 4 through 7, strike in their entirety the lines beginning with line 10 on page 4 through line 15 on page 7, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 356 – Delegates Patterson, Luedtke, D. Barnes, Ebersole, Fennell, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

AN ACT concerning

**Primary and Secondary Education – Nonpublic Schools – Required Information**

**HB0356/605760/2**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 356
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "certain" in line 3 down through "regulations;" in line 16 and substitute "the State Department of Education annually to provide certain nonpublic information to certain county entities beginning on a certain date;".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 14 on page 2 through line 21 on page 3, inclusive, and substitute:

"**(B) BEGINNING SEPTEMBER 1, 2019, AND EACH SEPTEMBER 1 THEREAFTER, THE DEPARTMENT SHALL PROVIDE TO THE COUNTY AGENCY RESPONSIBLE FOR PERMITTING AND THE LOCAL FIRE MARSHAL IN THE COUNTY:**

**(1) A LIST OF NONPUBLIC SCHOOLS IN THE COUNTY THAT HAVE BEEN ISSUED A CERTIFICATE OF APPROVAL BY THE STATE BOARD UNDER § 2–206 OF THIS SUBTITLE; AND**

**(2) A LIST OF NONPUBLIC SCHOOLS IN THE COUNTY THAT HAVE PROVIDED THE DEPARTMENT WITH A CHURCH–EXEMPT REGISTRATION FORM AND OTHER DOCUMENTATION REQUIRED UNDER REGULATIONS ADOPTED BY THE STATE BOARD.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 673 – Delegates Pippy, Ciliberti, Cox, Kerr, Krimm, and K. Young**

AN ACT concerning

**Frederick County – Ethics and Campaign Activity – County Board and Commission Members and Board of License Commissioners**

**HB0673/105264/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 673
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "from" in line 5 down through "day;" in line 8 and substitute "or a person acting on behalf of the member, a campaign finance entity of the member, or any other campaign finance entity operated in coordination with the member

from soliciting, receiving, depositing, or using a contribution while the member is serving on the Board; prohibiting a campaign finance entity of the member or any other campaign finance entity operated in coordination with the member from making an expenditure while the member is serving on the Board, except for a certain purpose; requiring a campaign finance entity of the member or any other campaign finance entity operated in coordination with the member to pay all outstanding obligations before the member begins serving on the Board;"; and strike beginning with "from" in line 11 down through "day;" in line 15 and substitute "or a person acting on behalf of the member, a campaign finance entity of the member, or any other campaign finance entity operated in coordination with the member from soliciting, receiving, depositing, or using a contribution while the member is serving on the board or commission; prohibiting a campaign finance entity of the member or any other campaign finance entity operated in coordination with the member from making an expenditure while the member is serving on the board or commission, except for a certain purpose; requiring a campaign finance entity of the member or any other campaign finance entity operated in coordination with the member to pay all outstanding obligations before the member begins serving on the board or commission; making clarifying and conforming changes;".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 25 through 31, inclusive, and substitute:

"**(2) A MEMBER, A PERSON ACTING ON BEHALF OF THE MEMBER, A CAMPAIGN FINANCE ENTITY OF THE MEMBER, OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER MAY NOT SOLICIT, RECEIVE, DEPOSIT, OR USE A CONTRIBUTION WHILE THE MEMBER IS SERVING ON THE BOARD.**

**(3) A CAMPAIGN FINANCE ENTITY OF THE MEMBER OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER MAY NOT MAKE AN EXPENDITURE, EXCEPT TO PAY A LATE FILING FEE OR CIVIL PENALTY IMPOSED UNDER TITLE 13 OF THE ELECTION LAW ARTICLE, WHILE THE MEMBER IS SERVING ON THE BOARD.**

**(4) A CAMPAIGN FINANCE ENTITY OF THE MEMBER OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER SHALL PAY ANY OUTSTANDING OBLIGATIONS BEFORE THE MEMBER BEGINS SERVING ON THE BOARD.**".

On page 4, in line 1, strike "**(4)**" and substitute "**(5)**"; strike in their entirety lines 13 through 21, inclusive, and substitute:

"**(B) A MEMBER, A PERSON ACTING ON BEHALF OF THE MEMBER, A CAMPAIGN FINANCE ENTITY OF THE MEMBER, OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER MAY NOT SOLICIT, RECEIVE, DEPOSIT, OR USE A CONTRIBUTION WHILE THE MEMBER IS SERVING ON THE BOARD OR COMMISSION.**

**(C) A CAMPAIGN FINANCE ENTITY OF THE MEMBER OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER MAY NOT MAKE AN EXPENDITURE, EXCEPT TO PAY A LATE FILING FEE OR CIVIL PENALTY IMPOSED UNDER TITLE 13 OF THE ELECTION LAW ARTICLE, WHILE THE MEMBER IS SERVING ON THE BOARD OR COMMISSION.**

**(D) A CAMPAIGN FINANCE ENTITY OF THE MEMBER OR ANY OTHER CAMPAIGN FINANCE ENTITY OPERATED IN COORDINATION WITH THE MEMBER SHALL PAY ANY OUTSTANDING OBLIGATIONS BEFORE THE MEMBER BEGINS SERVING ON THE BOARD OR COMMISSION.**";

and in line 22, strike "**(D)**" and substitute "**(E)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 747 – Delegates W. Fisher, Washington, Charles, and Ivey**

AN ACT concerning

**Election Law – Automatic Voter Registration Agencies – Links to Online Voter Registration**

**HB0747/335364/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 747
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Ivey" and substitute "Ivey, Ebersole, Wilkins, Hornberger, Smith, Mosby, Turner, and Feldmark"; in line 2, strike "– Automatic Voter Registration Agencies"; strike beginning with "adding" in line 4 down through "dates;" in line 14; strike beginning with "providing" in line 20 down through "Act;" in line 21; and strike in their entirety lines 22 through 27, inclusive.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 7 on page 2 through line 25 on page 7, inclusive.

On page 8, strike in their entirety lines 20 through 23, inclusive; in line 24, strike "4." and substitute "3."; and strike beginning with ", subject" in line 24 down through "Act," in line 25.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1019 – Delegates Guyton and Luedtke**

AN ACT concerning

**State Board of Education – Public High School Students – Assessments and Graduation Requirements**

**HB1019/225468/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1019
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "years;" in line 6 and substitute "providing that the State Board of Education may use a certain assessment for certain purposes only under certain circumstances;"; in line 8, strike the first semicolon and substitute "during a certain period of time; authorizing the State Board to use a certain assessment to determine a certain amount of a student's final grade in a certain course during a certain period of time under certain circumstances;"; and in the same line, strike "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 1, in line 22, strike the brackets; and in lines 22 and 23, strike "**SUBJECT TO SUBSECTION (F) OF THIS SECTION, BEGINNING**".

On page 2, strike beginning with "**(1)**" in line 28 down through "**AND**" in line 31 and substitute "**IF THE STATE BOARD REQUIRES A PASSING SCORE ON A STANDARDIZED ASSESSMENT TO EVALUATE A STUDENT FOR GRADUATION FROM HIGH SCHOOL, ONLY AFTER THE ASSESSMENT HAS BEEN ADMINISTERED STATEWIDE FOR AT LEAST 1 YEAR, THE STATE BOARD MAY:**

**(1) REQUIRE A PASSING SCORE ON A STANDARDIZED ASSESSMENT TO EVALUATE A STUDENT FOR GRADUATION FROM HIGH SCHOOL; AND**

**(2) USE THE ASSESSMENT TO DETERMINE UP TO 20% OF A STUDENT'S FINAL GRADE IN A COURSE IN THE SUBJECT OF THE ASSESSMENT.**".

On page 3, strike in their entirety lines 1 through 10, inclusive; and strike beginning with "It" in line 19 down through "effect." in line 21.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1025 – Delegate Mosby**

AN ACT concerning

**Election Law – Coordinated Expenditures and Donations – Investigation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1136 – Delegates Pippy and Cox**

AN ACT concerning

**Frederick County Board of Education – Graduation Requirements – Mental Health Education**

**HB1136/715969/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1136
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "Task Force to Study the Frederick County Public School System's Elementary School Social–Emotional Learning Pilot Program"; strike beginning with "requiring" in line 4 down through "County" in line 11 and substitute "establishing the Task Force to Study the Frederick County Public School System's Elementary School Social–Emotional Learning Pilot Program; 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 on certain matters; requiring the Task Force to report its findings and recommendations on a certain matter to the Frederick County Public School Superintendent and Board of Education; providing for the termination of this Act; and generally relating to the Task Force to Study the Frederick County Public School System's Elementary School Social–Emotional Learning Pilot Program"; strike in their entirety lines 12 through 16, inclusive; and in line 18, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 19 on page 1 through line 13 on page 2, inclusive, and substitute:

"(a) There is a Task Force to Study the Frederick County Public School System's Elementary School Social–Emotional Learning Pilot Program.

(b) The Task Force consists of the following members:

(1) a member of the House of Delegates who represents Frederick County, appointed by the Chair of the Frederick County Delegation;

(2) a member of the Senate of Maryland who represents Frederick County, appointed by the Chair of the Frederick County Delegation;

(3) a member of the Frederick County Board of Education, designated by the President of the Board;

(4) the supervisor of Frederick County Public School Psychological Services;

(5) a representative of the Frederick County Public School System's mental health services or behavioral interventions and supports programs, designated by the Superintendent of Frederick County Public Schools;

(6) a representative of the Mental Health Association of Frederick County, designated by the Chief Executive Officer of the Association; and

(7) a representative of the Maryland State School Health Council, designated by the President of the Council.

(c) The Task Force shall elect the chair of the Task Force by a majority vote at the first meeting.

(d) The Frederick County Board of Education shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study the implementation of the Frederick County Public School System's elementary school social–emotional learning pilot program;

(2) evaluate the efficacy of the program;

(3) study the effectiveness of the system used to track the delivery of behavioral health and monitor wraparound services that also preserves student data privacy;

(4) study the effectiveness of building–based staff training in the program;

(5) identify what resources, including staffing and staffing structure, would be needed to expand programming to all elementary, middle, and high schools; and

(6) make recommendations on actions necessary to expand the program to middle schools and high schools.

(g) On or before December 31, 2019, the Task Force shall report its findings and recommendations on actions necessary to create a comprehensive social–emotional learning program in all Frederick County Public Schools to the Frederick County Public School Superintendent and Board of Education.";

and in line 15, after the period insert "It shall remain effective for a period of 1 year and, at the end of June 30, 2020, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1206 – Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke, Palakovich Carr, Patterson, and Rose**

AN ACT concerning

**Maryland Longitudinal Data System Center – Data Matching**

**HB1206/105869/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1206
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 7 down through "information;" in line 8; and in line 27, strike "24–703(a) and (f)" and substitute "24–703(a), (f), and (g)".

On page 2, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2

On page 4, in line 9, strike the brackets; and in the same line, strike "**EXCEPT AS PROVIDED IN § 24–703.2 OF THIS SUBTITLE, THE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate M. Fisher moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1349 – Delegates Patterson, Acevero, D. Barnes, Barron, Bartlett, Bridges, Charles, Crosby, Crutchfield, D.M. Davis, Ebersole, Fennell, W. Fisher, Gaines, Glenn, Healey, Hill, Jalisi, Kaiser, Lehman, McComas, McKay, Mosby, Proctor, Queen, Sample–Hughes, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wilkins, and Wilson**

AN ACT concerning

**Public Schools – Students With Sickle Cell Disease – Revisions**

**HB1349/765164/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1349
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "date" and substitute "dates"; in line 4, after "to" insert "develop guidelines,"; and in the same line, strike "schools" and substitute "schools,".

AMENDMENT NO. 2

On page 2, in line 2, strike "December 1, 2018" and substitute "**AUGUST 1, 2019**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 8**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environment and Transportation:

**House Bill 1306 – Howard County Delegation**

AN ACT concerning

**Howard County – Howard County Housing Commission – Subsidiary Entities**

**Ho. Co. 26–19**

The Bill was re–referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environment and Transportation:

**House Bill 1362 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County Environmental Justice Commission – Alterations and Extension**

**PG 421–19**

The Bill was re–referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

**House Bill 1364 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Special Police – Legal Business Prohibition**

**PG 308–19**

The Bill was re–referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

**House Bill 1398 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Juvenile Law – Diversion Program**

**PG 307–19**

The Bill was re–referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

**House Bill 1405 – Chair, Howard County Delegation**

AN ACT concerning

**Howard County – Transfer Tax – Collection by Director of Finance**

**Ho. Co. 30–19**

The Bill was re–referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

**House Bill 1406 – Chair, Howard County Delegation**

AN ACT concerning

**Howard County – Department of Correction – Authority to Establish Programs**

**Ho. Co. 29–19**

The Bill was re–referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

**House Bill 1410 – Delegate Beitzel**

AN ACT concerning

**Upper Potomac River Commission – Pension Plans**

The Bill was re–referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

**House Bill 1411 – Delegates Smith, Cain, and Mosby**

AN ACT concerning

**CASH Campaign of Maryland Grant**

The Bill was re–referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1420 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)**

AN ACT concerning

**Maryland Department of Health – Services for Individuals With Developmental Disabilities – Fee–for–Service Payment Pilot Program**

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1421 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)**

AN ACT concerning

**Maryland Health Benefit Exchange – Functions and Outreach**

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**House Bill 1426 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)**

AN ACT concerning

**Health Services Cost Review Commission – Duties and Reports – Revisions**

The Bill was re–referred to the Committee on Health and Government Operations.

## HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 19–A9

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably on the attached gubernatorial appointments:

GOVERNOR LAWRENCE J. HOGAN, JR.
2018 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit A of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 457)

The preceding appointments were confirmed by the House.

## SPECIAL ORDER CALENDAR NO. 18

**House Bill 275 – Delegates Stein, Bagnall, Brooks, D.E. Davis, Ebersole, Fraser–Hidalgo, Gilchrist, Healey, Hettleman, Holmes, Jones, Lafferty, Lehman, R. Lewis, Lisanti, Moon, and Stewart**

AN ACT concerning

**Pesticides – Use of Chlorpyrifos – Prohibition**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0275/203925/1**
BY: Delegate Ghrist

AMENDMENT TO HOUSE BILL 275
(First Reading File Bill)

On page 1, strike beginning with the colon in line 17 down through "**INSECTICIDES**" in line 18 and substitute "**INSECTICIDES**"; and strike beginning with the semicolon in line 18 down through "**CHLORPYRIFOS**" in line 19.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 89 (See Roll Call No. 458)

FLOOR AMENDMENT

**HB0275/233529/1**
BY: Delegate Adams

AMENDMENTS TO HOUSE BILL 275, AS AMENDED

AMENDMENT NO. 1

In the Environment and Transportation Committee Amendments (HB0275/930814/1), in line 2 of Amendment No. 1, strike "a"; and in the same line, strike "waiver" and substitute "waivers".

AMENDMENT NO. 2

In the Environment and Transportation Committee Amendments, in line 2 of Amendment No. 2, strike "**SUBSECTION**" and substitute "**SUBSECTIONS**"; in the same line, after "**(B)**" insert "**AND (C)**"; and in line 8, after the first period insert:

"**(C) THE DEPARTMENT MAY GRANT AN EMERGENCY WAIVER TO ALLOW A PERSON TO USE CHLORPYRIFOS TO TREAT OR ERADICATE AN INVASIVE SPECIES.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 92 (See Roll Call No. 459)

FLOOR AMENDMENT

**HB0275/463622/1**
BY: Delegate Carr

AMENDMENT TO HOUSE BILL 275
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Stewart" and substitute "Stewart, Carr, Shetty, and Solomon".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 20

**House Bill 652 – Delegates Love, Acevero, Boyce, Brooks, Carr, Cullison, Ebersole, Gilchrist, Kelly, Lafferty, Lehman, R. Lewis, Lierman, Lisanti, Moon, Palakovich Carr, Solomon, Stewart, Terrasa, Valderrama, and K. Young**

AN ACT concerning

**Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0652/743520/1**
BY: Delegate Cox

AMENDMENTS TO HOUSE BILL 652, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0652/220317/1), in line 4 of Amendment No. 1, after "date;" insert "establishing that certain provisions of law do not prohibit the use of a medically important antimicrobial drug under certain circumstances;".

AMENDMENT NO. 2

On page 1 of the Environment and Transportation Committee Amendments, in line 8 of Amendment No. 2, after "**INFECTION.**" insert:

"**(G) NOTHING IN THIS SUBTITLE SHALL PROHIBIT THE USE OF A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION IN ACCORDANCE WITH FEDERAL LABELING REQUIREMENTS AND FEDERAL LAW.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 94 (See Roll Call No. 460)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 15

**House Bill 1172 – Delegate Cassilly**

AN ACT concerning

**Economic Development – Regional Advanced Manufacturing Partnership of Maryland**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Johnson moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

## SPECIAL ORDER CALENDAR NO. 21

**House Bill 1188 – Delegate Adams**

AN ACT concerning

**Interception of Communication – Financial Institutions**

STATUS OF BILL: BILL ON 2ND READING (RECONSIDERED).

Delegate Adams moved the Bill be recommitted.

The motion was adopted.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 7

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 25 – Delegates Barron, Hettleman, Korman, and Moon**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Revisions**

**HB0025/866983/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 25
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Moon" and substitute "Moon, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; strike beginning with "prohibiting" in line 19 down through "circumstances;" in line 22 and substitute "authorizing the Program to refer a certain violation of law or a certain breach of professional standards to the Office of Controlled Substances Administration for a certain investigation under certain circumstances and

under certain conditions;"; in line 24, after "action;" insert "altering a certain reporting requirement; specifying the intent of the General Assembly; defining a certain term;"; in the same line, strike the second "a"; in the same line, strike "change" and substitute "changes"; and after line 25, insert:

"BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–2A–01, 21–2A–05(f), and 21–2A–06(c) and (d)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

On page 2, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2

On page 2, after line 9, insert:

"21–2A–01.

(a) In this subtitle the following words have the meanings indicated.

(b) "Board" means the Advisory Board on Prescription Drug Monitoring.

(c) (1) "Dispense" has the meaning stated in § 12–101 of the Health Occupations Article.

(2) "Dispense" does not include:

(i) Directly administering a monitored prescription drug to a patient; or

(ii) Giving out prescription drug samples.

(d) (1) "Dispenser" means a person authorized by law to dispense a monitored prescription drug to a patient or the patient's agent in the State.

(2) "Dispenser" includes a nonresident pharmacy.

(3) "Dispenser" does not include:

(i) A licensed hospital pharmacy that only dispenses a monitored prescription drug for direct administration to an inpatient of the hospital;

(ii) An opioid treatment services program;

(iii) A veterinarian licensed under Title 2, Subtitle 3 of the Agriculture Article when prescribing controlled substances for animals in the usual course of providing professional services;

(iv) A pharmacy issued a waiver permit under COMAR 10.34.17.03 that provides pharmaceutical specialty services exclusively to persons living in assisted living facilities, comprehensive care facilities, and developmental disabilities facilities; and

(v) A pharmacy that:

1. Dispenses medications to an inpatient hospice; and

2. Has been granted a waiver under § 21–2A–03(f) of this subtitle.

(e) "Licensing entity" means an entity authorized under the Health Occupations Article to license, regulate, or discipline a prescriber or dispenser.

(f) "Monitored prescription drug" means a prescription drug that contains a Schedule II, Schedule III, Schedule IV, or Schedule V controlled dangerous substance designated under Title 5, Subtitle 4 of the Criminal Law Article.

**(G) "OFFICE" MEANS THE OFFICE OF CONTROLLED SUBSTANCES ADMINISTRATION IN THE DEPARTMENT.**

**[**(g)**] (H)** "Opioid treatment services program" means a program that:

(1) Is certified in accordance with § 8–401 of this article or licensed by the State under § 7.5–401 of this article;

(2) Is authorized to treat patients with opioid dependence with a medication approved by the federal Food and Drug Administration for opioid dependence;

(3) Complies with:

(i) The Code of Federal Regulations 42, Part 8;

(ii) COMAR 10.47.02.11; and

(iii) Requirements for the secure storage and accounting of opioid medication imposed by the federal Drug Enforcement Administration and the **[**State**]** Office **[**of Controlled Substances Administration**]**; and

(4) Has been granted a certification for operation by the Department, the federal Substance Abuse and Mental Health Services Administration, and the federal Center for Substance Abuse Treatment.

**[**(h)**] (I)** "Pharmacist" means an individual who is licensed under Title 12 of the Health Occupations Article to dispense a monitored prescription drug.

**[**(i)**] (J)** "Pharmacist delegate" means an individual who is:

(1) Authorized by a registered pharmacist to request or access prescription monitoring data; and

(2) Employed by or under contract with the same professional practice as the registered pharmacist.

**[**(j)**] (K)** "Prescriber" means a licensed health care professional authorized by law to prescribe a monitored prescription drug.

**[**(k)**] (L)** "Prescriber delegate" means an individual who is:

(1) Authorized by a registered prescriber to request or access prescription monitoring data; and

(2) Employed by or under contract with the same professional practice as the prescriber.

**[**(l)**] (M)** "Prescription drug" has the meaning stated in § 21–201 of this title.

**[**(m)**] (N)** "Prescription monitoring data" means the information submitted to the Program for a monitored prescription drug.

**[**(n)**] (O)** "Program" means the Prescription Drug Monitoring Program established under this subtitle.

**[**(o)**] (P)** "Registered" means registered with the Program to request or access prescription monitoring data for clinical use.

**[**(p)**] (Q)** "Terminal illness" means a medical condition that, within reasonable medical judgment, involves a prognosis for a patient that likely will result in the patient's death within 6 months.".

On page 3, after line 19, insert:

"21–2A–05.

(f) The Board shall:

(1) Meet not fewer than three times annually;

(2) Make recommendations to the Secretary relating to the design and implementation of the Program, including recommendations relating to:

(i) Regulations;

(ii) Legislation; and

(iii) Sources of funding, including grant funds under the Harold Rogers Prescription Drug Monitoring Program and other sources of federal, private, or State funds;

(3) Provide annually to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly a report that includes:

(i) The number of prescribers and prescriber delegates registered with and using the Program;

(ii) The number of pharmacists and pharmacist delegates registered with and using the Program;

(iii) The number of disclosures made to federal law enforcement agencies or State or local law enforcement agencies;

(iv) An analysis of the impact of the Program on patient access to pharmaceutical care and on curbing prescription drug diversion in the State; **[**and**]**

**(V) 1. THE NUMBER OF PROVIDERS, BY PROVIDER TYPE, WHO RECEIVED OUTREACH AND EDUCATION FROM THE PROGRAM; AND**

**2. THE NUMBER OF CASES FOR WHICH THE PROVIDERS RECEIVED OUTREACH AND EDUCATION FROM THE PROGRAM;**

**(VI) 1. THE NUMBER OF CASES THAT WERE IDENTIFIED FOR TECHNICAL ADVISORY COMMITTEE REVIEW BEFORE REFERRAL TO THE OFFICE; AND**

**2. THE NUMBER OF PROVIDERS, BY PROVIDER TYPE, INVOLVED IN THE CASES;**

**(VII) 1. THE NUMBER OF CASES THAT WERE REFERRED TO THE OFFICE FOR FURTHER EVALUATION AND THE OUTCOMES OF THE OFFICE EVALUATIONS; AND**

**2. THE NUMBER OF PROVIDERS, BY PROVIDER TYPE, INVOLVED IN THE CASES; AND**

**[**(v)**]** **(VIII)** Any recommendations related to modification or continuation of the Program; and

(4) Provide ongoing advice and consultation on the implementation and operation of the Program, including recommendations relating to:

(i) Changes in the Program to reflect advances in technology and best practices in the field of electronic health records and electronic prescription monitoring;

(ii) Changes to statutory requirements; and

(iii) The design and implementation of an ongoing evaluation component of the Program.".

On page 4, in line 24, strike "of Controlled Substances Administration".

AMENDMENT NO. 3

On page 6, in line 3, strike "**1.**"; in the same line, strike "**MAY**" and substitute "**SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, MAY**"; in line 4, strike "**OF CONTROLLED SUBSTANCES ADMINISTRATION**"; strike beginning with the semicolon in line 5 down through "**INVESTIGATION**" in line 10; in line 14, strike "indications of" and substitute "**METHODS USED TO IDENTIFY**"; in line 17, strike "**SUFFICIENT TO ADVISE ON**" and substitute "**ADVISING**"; in line 22, after "**ACCOUNT**" insert "**TO THE EXTENT PRACTICABLE**"; strike in their entirety lines 24 through 29, inclusive, and substitute:

"**(4) (I) IF METHODS DEVELOPED UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION INDICATE A POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS AND THE PROGRAM DETERMINES THAT OUTREACH AND EDUCATION TO THE PRESCRIBER OR DISPENSER IS INADEQUATE TO ADDRESS THE POSSIBLE BREACH OR VIOLATION, THE PROGRAM MAY REFER THE POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS ALONG WITH PRESCRIPTION MONITORING DATA TO THE OFFICE FOR FURTHER INVESTIGATION, PROVIDED THAT THE PROGRAM:**

**1. PROVIDES NOTICE AND AN OPPORTUNITY TO THE TECHNICAL ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS WITHIN 10 BUSINESS DAYS REGARDING INTERPRETATION OF THE DATA;**

**2. PROVIDES THE RECOMMENDATIONS OF THE TECHNICAL ADVISORY COMMITTEE, IF ANY, TO THE OFFICE; AND**

**3. NOTIFIES THE PRESCRIBER OR THE DISPENSER THAT THE PRESCRIPTION MONITORING DATA WILL BE PROVIDED TO THE OFFICE FOR FURTHER INVESTIGATION.**";

in line 30, strike "**(4)**" and substitute "**(II)**"; in lines 31 and 32, strike "**OF CONTROLLED SUBSTANCES ADMINISTRATION**"; in line 33, strike "**(I)**" and substitute "**1.**"; and in lines 34 and 35, strike "**OF CONTROLLED SUBSTANCES ADMINISTRATION**".

On page 7, in line 2, strike "**(II)**" and substitute "**2.**".

AMENDMENT NO. 4

On page 7, after line 15, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Prescription Drug Monitoring Program shall continue to work with the Program's technical advisory committee to further refine and enhance the quality of the algorithms and other data tools to identify possible violations of law and breaches of professional standards.";

and in line 16, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 365 – Delegate Bagnall**

AN ACT concerning

**State Grants and Contracts – Reimbursement of Nonprofit Indirect Costs – Application**

**HB0365/256884/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 365

(First Reading File Bill)

On page 2, in line 15, strike "**WAS AWARDED ON OR AFTER OCTOBER 1, 2018**" and substitute "**IS AWARDED ON OR AFTER JULY 1, 2019**"; and in line 22, strike "**BEGAN BEFORE OCTOBER 1, 2018**" and substitute "**BEGINS BEFORE JULY 1, 2019**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 466 – Delegates Kerr, Bagnall, Barron, Cain, Chisholm, Cox, Feldmark, Jalisi, Johnson, Kelly, Krebs, Krimm, Lafferty, R. Lewis, Morgan, Pena–Melnyk, Pendergrass, Saab, Sample–Hughes, Shetty, Solomon, Szeliga, C. Watson, and K. Young**

AN ACT concerning

**Prescription Drug Monitoring Program – Program Evaluation**

**HB0466/186782/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 466
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and K. Young" and substitute "K. Young, Bhandari, Carr, Charles, Cullison, Hill, Kipke, Metzgar, and Rosenberg"; in line 4, after "to" insert "the Office of the Attorney General on issuance of a subpoena for a certain purpose; requiring the Program to provide prescription monitoring data to"; and in line 5, after "program" insert "or any other authorized local, state, territorial, or federal agency in connection with the provision of medical care; requiring the Program to provide prescription monitoring data to the medical director of a certain health care facility, or the medical director's designee, for a certain purpose; requiring the Program to provide prescription monitoring data to the Office of the Chief Medical Examiner in accordance with a certain provision of law".

AMENDMENT NO. 2

On page 3, after line 4, insert:

"**(7) THE OFFICE OF THE ATTORNEY GENERAL, ON ISSUANCE OF A SUBPOENA FOR THE PURPOSE OF FURTHERING A BONA FIDE EXISTING INVESTIGATION;**";

in line 5, strike the first set of brackets; in lines 5, 8, and 15, strike "**(7)**", "**(8)**", and "**(9)**", respectively; in line 7, after "program" insert "**OR ANY OTHER AUTHORIZED LOCAL, STATE, TERRITORIAL, OR FEDERAL AGENCY IN CONNECTION WITH THE PROVISION OF MEDICAL CARE**"; in lines 8 and 15, in each instance, strike the brackets; strike line 10 in its entirety; in lines 11, 12, 13, and 14, strike "(ii)", "(iii)", "(iv)", and "(v)", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", and "**(IV)**", respectively; in line 16, strike "or"; after line 16, insert:

"**(11) THE MEDICAL DIRECTOR OF A HEALTH CARE FACILITY, AS DEFINED IN § 19–114 OF THIS ARTICLE, OR THE MEDICAL DIRECTOR'S DESIGNEE, FOR THE PURPOSE OF PROVIDING HEALTH CARE PRACTITIONERS EMPLOYED OR CONTRACTUALLY EMPLOYED AT THE HEALTH CARE FACILITY ACCESS TO THE PRESCRIPTION MONITORING DATA IN CONNECTION WITH THE PROVISION OF MEDICAL CARE OR THE DISPENSING OF A MONITORED PRESCRIPTION DRUG TO A PATIENT OF THE HEALTH CARE FACILITY;**

**(12) THE OFFICE OF THE CHIEF MEDICAL EXAMINER IN ACCORDANCE WITH § 5–309 OF THIS ARTICLE; OR**";

and in line 17, strike "**(10)**" and substitute "**(13)**".

On page 5, in line 28, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 471 – Delegates K. Young, Pendergrass, R. Lewis, and Sample–Hughes**

AN ACT concerning

**Health Occupations – Requirements for the Practice of Optometry – Miscellaneous Revisions**

**HB0471/956783/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 471
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Sample–Hughes" and substitute "Sample–Hughes, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, Metzgar, Rosenberg, Saab, and Szeliga"; strike beginning with "requiring" in line 4 down through "regulations" in line 31 and substitute "repealing certain provisions of law requiring a therapeutically certified optometrist to refer a certain patient to an ophthalmologist under certain circumstances; altering the types of therapeutic pharmaceutical agents a therapeutically certified optometrist is authorized to administer or prescribe; prohibiting therapeutically certified optometrists from administering or prescribing certain substances and agents except under certain circumstances; prohibiting therapeutically certified optometrists from administering or prescribing certain substances and agents to certain patients except under certain circumstances; altering the circumstances under which a therapeutically certified optometrist is authorized to administer and prescribe certain pharmaceutical agents for a certain type of glaucoma; authorizing therapeutically certified optometrists to order certain tests under certain conditions; altering the circumstances under which a therapeutically certified optometrist is authorized to remove certain foreign bodies from a human eye; requiring a therapeutically certified optometrist to comply with a certain notice requirement;"; and in line 31, after "altering" insert "and repealing".

On page 2, in line 1, strike "certain terms" and substitute "a certain term"; in line 2, after "Act;" insert "providing for a delayed effective date for certain provisions of this Act;"; strike lines 4 through 8, inclusive; in line 11, strike "11–101(g) and (h), 11–301, 11–309, 11–402 through 11–404, 11–404.1," and substitute "11–101,"; and strike lines 15 through 19, inclusive, and substitute:

"BY repealing

Article – Health Occupations
Section 11–503
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On pages 2 through 15, strike in their entirety the lines beginning with line 23 on page 2 through line 14 on page 15, inclusive, and substitute:

"11–101.

(a) In this title the following words have the meanings indicated.

(b) "Board" means the State Board of Examiners in Optometry.

(c) "Diagnostically certified optometrist" means a licensed optometrist who is certified by the Board to administer topical ocular diagnostic pharmaceutical agents to the extent permitted under § 11–404 of this title.

(d) "License" means, unless the context requires otherwise, a license issued by the Board to practice optometry.

(e) "Licensed optometrist" means, unless the context requires otherwise, an optometrist who is licensed by the Board to practice optometry.

(f) "Optometrist" means an individual who practices optometry.

(g) (1) "Practice optometry" means:

(i) Subject to §§ 11–404 and 11–404.2 of this title, to use any means known in the science of optics or eye care, except surgery:

1. To detect, diagnose, **MANAGE,** and **TREAT,** subject to §§ 11–404 and 11–404.2 of this title, **[**treat, subject to this title,**]** any optical or diseased condition in the human eye **AND THE ADNEXA OF THE EYE**; or

2. To prescribe eyeglasses, lenses, or contact lenses to correct any optical or visual condition in the human eye;

(ii) To give advice or direction on the fitness or adaptation of eyeglasses or lenses to any individual for the correction or relief of a condition for which eyeglasses or lenses are worn; or

(iii) To use or permit the use of any instrument, test card, test type, test eyeglasses, test lenses, or other device to aid in choosing eyeglasses or lenses for an individual to wear.

(2) Subject to §§ 11–404 and 11–404.2 of this title, "practice optometry" includes:

(i) The administration of **[**topical ocular diagnostic**]** pharmaceutical agents;

**[**(ii) The administration and prescription of therapeutic pharmaceutical agents; and**]**

**[**(iii)**] (II)** The removal of superficial foreign bodies from the cornea and conjunctiva**;**

**(III) THE DIAGNOSIS, TREATMENT, AND MANAGEMENT OF OPEN–ANGLE GLAUCOMA;**

**(IV) THE ORDERING OF CULTURES AND BLOODWORK TESTING; AND**

**(V) THE ORDERING AND PERFORMING OF IN–OFFICE, NONINVASIVE, NONRADIOGRAPHIC IMAGING**.

(h) "Therapeutically certified optometrist" means a licensed optometrist who is certified by the Board to practice optometry to the extent permitted under § 11–404.2 of this title.

**(I) (1) "SURGERY" MEANS A PROCEDURE USING ANY INSTRUMENTS, INCLUDING LASERS, SCALPELS, NEEDLES, CAUTERY, A CRYOPROBE, OR SUTURES IN WHICH HUMAN TISSUE IS CUT, BURNED, VAPORIZED, REMOVED, OR OTHERWISE PERMANENTLY ALTERED BY ANY MECHANICAL MEANS, LASER, IONIZING RADIATION, ULTRASOUND, OR OTHER MEANS.**

**(2) "SURGERY" DOES NOT INCLUDE:**

**(I) PREOPERATIVE AND POSTOPERATIVE CARE PROVIDED IN ACCORDANCE WITH §§ 11–404 AND 11–404.2 OF THIS TITLE;**

**(II) NONSURGICAL LIGHT THERAPIES USED ONLY FOR THE TREATMENT OF MEIBOMIAN GLAND DISEASE AND VISION THERAPY BUT NOT FOR CORNEAL COLLAGEN CROSS LINKING;**

**(III) ORTHOKERATOLOGY;**

**(IV) A NONINVASIVE PROCEDURE TO REMOVE A SUPERFICIAL FOREIGN BODY IN ACCORDANCE WITH § 11–404.2(D) OF THIS TITLE;**

**(V) CORNEAL SCRAPING OR CONJUNCTIVAL SWABS FOR CULTURES IN ACCORDANCE WITH § 11–404.2(E) OF THIS TITLE;**

**(VI) EPILATING WITH FORCEPS AN EYELASH FROM THE EYELID, ADNEXA, OR LACRIMAL SYSTEM OF A PATIENT; OR**

**(VII) NONINVASIVE MEIBOMIAN GLAND EXPRESSION.**

11–404.2.

**[**(a) In this section, "refer" means that a therapeutically certified optometrist:

(1) Informs the patient that the patient should see an ophthalmologist and give the ophthalmologist an opportunity to physically examine the patient; and

(2) Refrains from rendering further treatment for the specific condition that is the basis for the referral until the patient has been physically examined by an ophthalmologist.**]**

**[**(b)**] (A)** (1) **[**A**] EXCEPT AS PROVIDED IN THIS SUBSECTION AND IN SUBSECTION (D) OF THIS SECTION FOR THE TREATMENT OF OPEN–ANGLE**

**GLAUCOMA,** A therapeutically certified optometrist may administer and prescribe **[**topical therapeutic pharmaceutical agents limited to:

(i) Ocular antihistamines, decongestants, and combinations thereof;

(ii) Ocular antiallergy pharmaceutical agents;

(iii) Ocular antibiotics and combinations of ocular antibiotics, excluding specially formulated or fortified antibiotics;

(iv) Anti–inflammatory agents;

(v) Ocular lubricants and artificial tears;

(vi) Tropicamide;

(vii) Homatropine;

(viii) Nonprescription drugs that are commercially available; and

(ix) Primary open–angle glaucoma medications, in accordance with subsection (c) of this section**] THERAPEUTIC PHARMACEUTICAL AGENTS FOR THE PREVENTION, MANAGEMENT, OR TREATMENT OF CONDITIONS AND DISEASES OF THE EYE AND OCULAR ADNEXA**.

**(2) (I) A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY NOT ADMINISTER OR PRESCRIBE:**

**1. CONTROLLED DANGEROUS SUBSTANCES;**

**2. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, NONTOPICAL SYSTEMIC IMMUNOSUPPRESSIVE AND IMMUNOMODULATORY AGENTS;**

**3. ORAL ANTIFUNGAL AGENTS; OR**

**4. ORAL AND TOPICAL ANTIMETABOLITE AGENTS.**

**(II) A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY ADMINISTER OR PRESCRIBE ORAL CORTICOSTEROIDS FOR NOT MORE THAN 1 MONTH UNLESS THE THERAPEUTICALLY CERTIFIED OPTOMETRIST CONSULTS WITH A PHYSICIAN.**

**(3) A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY NOT ADMINISTER OR PRESCRIBE PHARMACEUTICAL AGENTS THAT ARE:**

**(I) DELIVERED INTRAVENOUSLY;**

**(II) GIVEN BY INJECTION, EXCEPT A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY GIVE AN INJECTION OF EPINEPHRINE IN THE APPROPRIATE DOSE FOR THE TREATMENT OF ACUTE ANAPHYLAXIS OR EMERGENCY RESUSCITATION;**

**(III) GIVEN OR DELIVERED BY A SUSTAINED DELIVERY DEVICE, EXCEPT FOR PUNCTAL PLUGS, CONTACT LENSES, OR OTHER EXTRAOCULAR DEVICES THAT RELEASE MEDICATION INTO THE TEAR FILM; OR**

**(IV) FOR THE TREATMENT OF A SYSTEMIC DISEASE UNLESS SPECIFIC TO THE TREATMENT OF AN OCULAR CONDITION OR DISEASE.**

**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY NOT ADMINISTER OR PRESCRIBE ANY ORAL PHARMACEUTICAL AGENT TO A PATIENT UNDER THE AGE OF 18 YEARS.**

**(2) (I) AFTER A THERAPEUTICALLY CERTIFIED OPTOMETRIST CONSULTS WITH A PHYSICIAN, THE THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY PRESCRIBE AND ADMINISTER ORAL ANTIBIOTICS TO A MINOR WHO IS AT LEAST 16 YEARS OLD AND UNDER THE AGE OF 18 YEARS.**

**(II) A THERAPEUTICALLY CERTIFIED OPTOMETRIST SHALL PROVIDE THE PHYSICIAN CONSULTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH WITH A WRITTEN REPORT.**

**[**(2) Except as provided in paragraph (4) of this subsection, if a therapeutically certified optometrist administers or prescribes a topical therapeutic pharmaceutical agent listed in paragraph (1)(i) through (vii) of this subsection, and the patient does not have the expected response within 72 hours:

(i) The therapeutically certified optometrist shall consult with an ophthalmologist; and

(ii) The ophthalmologist may determine that the ophthalmologist needs to physically examine the patient.

(3) Except as provided in paragraph (4) of this subsection, if a therapeutically certified optometrist administers or prescribes a topical therapeutic pharmaceutical agent under paragraph (2) of this subsection, the therapeutically certified optometrist shall communicate with the patient to determine the response of the patient to the therapeutic pharmaceutical agent as soon as practicable after 72 hours of the time the agent was administered or prescribed.

(4) A therapeutically certified optometrist may administer or prescribe topical steroids in accordance with a practice protocol established by the Board.

(5) A therapeutically certified optometrist may not administer or prescribe:

(i) Antiviral agents;

(ii) Antifungal agents;

(iii) Antimetabolite agents; or

(iv) Antiparasitic agents.

(6) A therapeutically certified optometrist may dispense a topical therapeutic pharmaceutical agent listed in paragraph (1) of this subsection only if:

(i) No charge is imposed for the therapeutic pharmaceutical agent or for dispensing the agent; and

(ii) The amount dispensed does not exceed a 72–hour supply, except that if the minimum available quantity for dispensing is greater than a 72–hour supply, the minimum available quantity may be dispensed.**]**

(c) (1) A therapeutically certified optometrist may administer and prescribe topical therapeutic pharmaceutical agents for glaucoma only**[**:

(i) For patients with primary**] FOR A PATIENT WHO:**

**(I) IS AT LEAST 18 YEARS OLD; AND**

**(II) HAS** open–angle glaucoma**[**;

(ii) After the optometrist refers the patient to an ophthalmologist; and

(iii) After the ophthalmologist and optometrist jointly and promptly develop a written individualized treatment plan that is signed by the ophthalmologist and optometrist and includes:

1. All tests and examinations that led to the diagnosis;

2. An initial schedule of all tests and examinations necessary to treat the patient's condition;

3. A medication plan;

4. A target intraocular pressure; and

5. Criteria for surgical intervention by the ophthalmologist**]**.

**[**(2) (i) A treatment plan developed under this subsection may be modified only after both the optometrist and the ophthalmologist consult together and consent to the modification.

(ii) Each modification shall be noted in the optometric record of the patient.**]**

**[**(3)**] (2) (I)** A therapeutically certified optometrist who treats a patient with **[**primary**]** open–angle glaucoma in accordance with this section**[**:

(i) Shall**] SHALL** refer the patient to an ophthalmologist **[**at least once a year after the initial mandatory referral under paragraph (1) of this subsection;**] FOR AN EXAMINATION WITHIN 3 MONTHS AFTER THE INITIAL DIAGNOSIS OR PRESENTATION TO THE THERAPEUTICALLY CERTIFIED OPTOMETRIST UNLESS THE INTRAOCULAR PRESSURE HAS BEEN REDUCED 20% OR MORE FROM THE INITIAL PRESSURE.**

**(II) A THERAPEUTICALLY CERTIFIED OPTOMETRIST WHO TREATS A PATIENT WITH OPEN–ANGLE GLAUCOMA IN ACCORDANCE WITH THIS SECTION SHALL REFER THE PATIENT TO AN OPHTHALMOLOGIST FOR AN EXAMINATION WITHIN 12 MONTHS AFTER THE INITIAL DIAGNOSIS OR PRESENTATION TO THE THERAPEUTICALLY CERTIFIED OPTOMETRIST UNLESS CLINICAL STABILITY HAS BEEN DOCUMENTED BY VISUAL FIELD OR IMAGING OF THE OPTIC NERVE STRUCTURE.**

**(3) FOR A PATIENT ON GLAUCOMA MEDICATIONS AT THE TIME OF PRESENTATION TO A THERAPEUTICALLY CERTIFIED OPTOMETRIST, IF THE THERAPEUTICALLY CERTIFIED OPTOMETRIST IS UNABLE TO CONFIRM EITHER THE DATE OF INITIAL OPEN–ANGLE GLAUCOMA DIAGNOSIS OR THE INTRAOCULAR PRESSURE AT THE TIME THE PATIENT WAS INITIALLY DIAGNOSED, THE THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY RENDER TREATMENT TO A PATIENT WITH OPEN–ANGLE GLAUCOMA WITHOUT REFERRING THE PATIENT TO AN OPHTHALMOLOGIST IF:**

**(I) THE INTRAOCULAR PRESSURE OF THE PATIENT REMAINS STABLE; AND**

**(II) CLINICAL STABILITY IS DOCUMENTED BY VISUAL FIELD OR IMAGING OF THE OPTIC NERVE STRUCTURE WITHIN 12 MONTHS AFTER THE PATIENT IS FIRST EXAMINED BY THE OPTOMETRIST.**

**[**(ii) May continue to render treatment under the joint treatment plan until the patient is examined by an ophthalmologist;

(iii) Shall consult with an ophthalmologist if:

1. The patient does not have the expected response to treatment;

2. The target intraocular pressure is not reached; or

3. There is worsening in a patient's visual field or optic nerve head; and

(iv) May perform and evaluate visual field tests, nerve fiber layer photos, and optic disc photos. The tests or photos shall be provided to an ophthalmologist for review by the ophthalmologist.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, a therapeutically certified optometrist may not administer or prescribe any oral pharmaceutical agent for any purpose.

(2) (i) A therapeutically certified optometrist may administer and prescribe oral tetracycline and its derivatives only for the diagnosis and treatment of meibomitis and seborrheic blepharitis.

(ii) If a therapeutically certified optometrist administers or prescribes oral tetracycline or its derivatives to a patient in accordance with subparagraph (i) of this paragraph and the patient does not improve within 3 weeks of treatment, the optometrist shall refer the patient to an ophthalmologist.

(3) A therapeutically certified optometrist may administer or prescribe nonprescription drugs that are commercially available.

(e) (1) Except as provided in paragraph (2) of this subsection, a therapeutically certified optometrist may not perform any procedure on the eyelid of a patient.

(2) A therapeutically certified optometrist may epilate with forceps an eyelash from the eyelid, adnexa, or lacrimal system of a patient.**]**

**(4) (I) FOR A PATIENT WHO IS AT LEAST 18 YEARS OLD, A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY ONLY ADMINISTER OR**

**PRESCRIBE ORAL GLAUCOMA MEDICATIONS FOR UP TO 24 HOURS AFTER THE PATIENT PRESENTS IN THE OFFICE WITH UNCONTROLLED INTRAOCULAR PRESSURE.**

**(II) A THERAPEUTICALLY CERTIFIED OPTOMETRIST WHO ADMINISTERS OR PRESCRIBES ORAL GLAUCOMA MEDICATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL IMMEDIATELY CONSULT WITH AN OPHTHALMOLOGIST AND REFER THE PATIENT TO AN OPHTHALMOLOGIST.**

**[**(f)**] (D)** A therapeutically certified optometrist may remove superficial **CONJUNCTIVAL OR CORNEAL** foreign bodies from the human eye only if:

**[**(1) The foreign body may be removed with a cotton–tipped applicator or blunt spatula; and**]**

**[**(2)**] (1)** The foreign body **[**has**]:**

**(I) HAS** not penetrated beyond the bowman's membrane of the cornea and is **[**not**]** within 2.5 millimeters of the visual axis **OF THE CORNEA; OR**

**(II) IS PERIPHERAL AND ANTERIOR TO THE MID–STROMA; AND**

**(2) REMOVAL WILL NOT REQUIRE PERMANENT ALTERATION OF TISSUE**.

**[**(g)**] (E)** (1) Except as provided **[**in paragraph (2)**] PARAGRAPHS (2) AND (3)** of this subsection, a therapeutically certified optometrist may not order **ANY** laboratory tests**, GENETIC TESTS, EXTRAOCULAR IMAGING, OR OTHER TESTING** for a patient.

(2) **(I)** A therapeutically certified optometrist may order **[**a**]:**

**1. A** conjunctival **OR CORNEAL** culture**; OR**

**2. AFTER CONSULTING WITH A PHYSICIAN, A NONGENETIC BLOOD TEST**.

**(II) A THERAPEUTICALLY CERTIFIED OPTOMETRIST WHO ORDERS NONGENETIC BLOOD TESTS SHALL SEND THE WRITTEN RESULTS TO THE PHYSICIAN CONSULTED IN ACCORDANCE WITH SUBPARAGRAPH (I)2 OF THIS PARAGRAPH.**

**(3) A THERAPEUTICALLY CERTIFIED OPTOMETRIST MAY ORDER AND PERFORM IN–OFFICE, NONINVASIVE, NONRADIOGRAPHIC IMAGING.**

**[**(h)**] (F)** A therapeutically certified optometrist may not provide any therapeutic treatment listed in this section for a child under the age of 1 year.

**[**(i)**] (G)** Unless the standard of care requires an earlier referral, if a therapeutically certified optometrist diagnoses a corneal ulcer or infiltrate, and the patient does not have the expected response within 48 hours, the optometrist immediately shall refer the patient to an ophthalmologist.

**[**(j)**] (H)** A therapeutically certified optometrist shall be **[**held**]:**

**(1) HELD** to the same standard of care as an ophthalmologist who is licensed under Title 14 of this article and who is providing similar services**; AND**

**(2) REQUIRED TO COMPLY WITH THE NOTICE REQUIREMENT UNDER § 14–508 OF THIS ARTICLE**.".

AMENDMENT NO. 3

On page 15, in lines 18 and 19, strike "**, THERAPEUTICALLY CERTIFIED OPTOMETRISTS II,**"; and in line 24, strike "**, THERAPEUTICALLY CERTIFIED OPTOMETRISTS II,**".

On page 16, after line 7, insert:

"**[**11–503.

An optometrist practicing in the State may not:

(1) Use surgical lasers;

(2) Perform any surgery, including cataract surgery or cryosurgery;

(3) Perform a radial keratotomy;

(4) Give an injection, except that an optometrist may give an injection of epinephrine in the appropriate dose for the treatment of acute anaphylaxis or emergency resuscitation; or

(5) Except as provided under this title, dispense a therapeutic pharmaceutical agent to any person.**]**".

AMENDMENT NO. 4

On page 16, strike in their entirety lines 9 through 16, inclusive, and substitute:

"(a) This section does not apply to an individual who graduates on or after July 1, 2019, from an accredited college of optometry, an accredited university school of optometry, or an equivalent program of education as determined by the State Board of Examiners in Optometry.

(b) (1) Before July 1, 2020, a therapeutically certified optometrist certified under Title 11 of the Health Occupations Article shall demonstrate to the State Board of Examiners in Optometry successful completion of a 10–hour course in advanced pharmacology with emphasis on the use of oral pharmaceutical agents in treating ocular diseases.

(2) To fulfill the requirement of paragraph (1) of this subsection, a therapeutically certified optometrist may complete a course given by the Maryland Optometric Association or any other statewide association or nonprofit association.

(3) A course completed by a therapeutically certified optometrist in accordance with this section shall be counted toward the total number of hours of continuing education required under § 11–309 of the Health Occupations Article for the licensing period in which the course was completed.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect March 1, 2020.";

in line 17, strike "3." and substitute "4."; in the same line, after "That" insert ", except as provided in Section 3 of this Act,"; and in line 17, strike "July" and substitute "June".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 522** – **Delegate Krebs**

AN ACT concerning

**Public Health – Food Establishments – Licensing**

**HB0522/326486/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 522
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Krebs" and substitute "Delegates Krebs, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; strike in their entirety lines 12 through 16, inclusive; and after line 21, insert:

"BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–301(e) and (h), 21–304(a), 21–305(b), and 21–309(a)(4) and (b)(2)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

On page 3, in line 26, strike "**(1)**" and substitute "**(I)**"; and in line 29, strike "**(2)**" and substitute "**(II)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 599 – Delegate Kelly**

AN ACT concerning

**Health Insurance – Coverage for Mental Health Benefits and Substance Use Disorder Benefits – Requirements and Reports**

**HB0599/576284/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 599
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kelly" and substitute "Delegates Kelly and Hill"; in line 3, strike "Requirements and Reports" and substitute "Treatment Criteria"; strike beginning with "requiring" in line 4 down through "regulations;" in line 19; strike beginning with "requiring" in line 24 down through "carrier;" in line 27; in line 27, strike "certain terms" and substitute "a certain term"; in the same line, strike "stylistic changes" and substitute "a stylistic change"; in line 28, strike "for certain provisions of this Act"; and in line 29, strike "certain provisions of".

On page 2, strike in their entirety lines 1 through 5, inclusive; and in line 8, strike ", 15–10A–02, and 15–10D–02".

AMENDMENT NO. 2

On pages 2 through 11, strike in their entirety the lines beginning with line 13 on page 2 through line 2 on page 11, inclusive.

AMENDMENT NO. 3

On pages 13 through 22, strike in their entirety the lines beginning with line 26 on page 13 through line 7 on page 22, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2020.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2020.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 697 – Delegates Pendergrass, Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, Barve, Boyce, Branch, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Clippinger, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Queen, Reznik, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Health Insurance – Consumer Protections**

**HB0697/716486/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 697
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Protections" insert "and Maryland Health Insurance Coverage Protection Commission"; and in line 3, after the first "of" insert "making a certain finding and declaration of the General Assembly;".

On pages 1 and 2, strike beginning with "repealing" in line 3 on page 1 down through "changes;" in line 20 on page 2 and substitute "requiring the Maryland Health Insurance Coverage Protection Commission to establish a certain workgroup; requiring that the workgroup include certain members; specifying the duties of the workgroup; requiring the

Commission to report to the General Assembly on or before a certain date; altering the date on which the Commission is required to submit a certain report;".

On page 2, in lines 20 and 21, strike "Maryland Health Insurance Coverage Protection"; strike beginning with "providing" in line 21 down through "terms;" in line 23; in line 24, after "insurance" insert "and the Maryland Health Insurance Coverage Protection Commission"; in line 25, after "repealing" insert "and reenacting, with amendments,"; strike in their entirety lines 30 through 40, inclusive; in line 42, after "2017" insert ", as amended by Chapters 37 and 38 of the Acts of the General Assembly of 2018".

On page 3, in line 2, after "2017" insert ", as amended by Chapters 37 and 38 of the Acts of the General Assembly of 2018"; in line 3, before "2" insert "1(h)(3), (i), and (j) and"; and after line 3, insert:

"BY adding to
Chapter 17 of the Acts of the General Assembly of 2017, as amended by Chapters 37 and 38 of the Acts of the General Assembly of 2018
Section 1(i)".

AMENDMENT NO. 2

On page 3, in line 7, strike the bracket; after line 7, insert:

"**(A) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IT IS IN THE PUBLIC INTEREST TO ENSURE THAT THE HEALTH CARE PROTECTIONS ESTABLISHED BY THE FEDERAL AFFORDABLE CARE ACT CONTINUE TO PROTECT MARYLAND RESIDENTS IN LIGHT OF CONTINUED THREATS TO THE FEDERAL AFFORDABLE CARE ACT.**";

and in line 8, strike "(a)" and substitute "**(B)**".

On page 4, in lines 10 and 12, strike "(b)" and "(c)", respectively, and substitute "**(C)**" and "**(D)**", respectively; and in line 13, strike the bracket.

On pages 4 through 21, strike in their entirety the lines beginning with line 14 on page 4 through line 32 on page 21, inclusive.

On page 21, in line 33, after "**2017**" insert ", as amended by Chapters 37 and 38 of the Acts of 2018".

On page 22, after line 1, insert:

"(h) (3) The Commission shall include its findings and recommendations from the study required under paragraph (1) of this subsection in the annual report submitted by the Commission on or before December 31, **[**2019**] 2020**, under subsection **[**(j)**](K)** of this section.

**(I) (1) THE COMMISSION SHALL ESTABLISH A WORKGROUP TO CARRY OUT THE FINDING AND DECLARATION OF THE GENERAL ASSEMBLY THAT IT IS IN THE PUBLIC INTEREST TO ENSURE THAT THE HEALTH CARE PROTECTIONS ESTABLISHED BY THE FEDERAL AFFORDABLE CARE ACT CONTINUE TO PROTECT MARYLAND RESIDENTS IN LIGHT OF CONTINUED THREATS TO THE FEDERAL AFFORDABLE CARE ACT.**

**(2) THE WORKGROUP SHALL INCLUDE MEMBERS WHO REPRESENT NONPROFIT AND FOR–PROFIT CARRIERS, CONSUMERS, AND PROVIDERS.**

**(3) THE WORKGROUP SHALL:**

**(I) MONITOR THE APPEAL OF THE DECISION OF THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS IN TEXAS V. UNITED STATES REGARDING THE ACA AND THE IMPLICATIONS OF THE DECISION FOR THE STATE;**

**(II) MONITOR THE ENFORCEMENT OF THE AFFORDABLE CARE ACT BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND**

**(III) DETERMINE THE MOST EFFECTIVE MANNER OF ENSURING THAT MARYLAND CONSUMERS CAN OBTAIN AND RETAIN QUALITY HEALTH INSURANCE INDEPENDENT OF ANY ACTION OR INACTION ON THE PART OF THE FEDERAL GOVERNMENT OR ANY CHANGES TO FEDERAL LAW OR ITS INTERPRETATION.**

**(4) ON OR BEFORE DECEMBER 31, 2019, THE COMMISSION SHALL INCLUDE THE FINDINGS OF THE WORKGROUP IN THE ANNUAL REPORT SUBMITTED BY THE COMMISSION ON OR BEFORE DECEMBER 31, 2019, UNDER SUBSECTION (K) OF THIS SECTION.**

**[**(i)**] (J)** The Commission may:

(1) hold public meetings across the State to carry out the duties of the Commission; and

(2) convene workgroups to solicit input from stakeholders.

**[**(j)**] (K)** On or before December 31 each year, the Commission shall submit a report on its findings and recommendations, including any legislative proposals, to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.".

On page 22, strike in their entirety lines 6 through 9, inclusive; in line 10, strike "3." and substitute "2."; and in the same line, strike "July" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 738 – Delegate Kipke**

AN ACT concerning

**Dental Hygienist – Scope of Practice – Authority to Practice Under General Supervision of Licensed Dentist**

**HB0738/236283/2**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 738
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kipke" and substitute "Delegates Kipke, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly,

Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, and Szeliga"; in line 2, strike "Authority to Practice" and substitute "Practice Settings"; in line 3, strike "of Licensed Dentist"; in line 7, after "requirements" insert ", including the time period of active clinical experience,"; and in line 12, strike "a certain term" and substitute "certain terms".

AMENDMENT NO. 2

On page 2, in line 6, after the semicolon insert "**OR**"; in line 7, strike "**; OR**" and substitute a period; strike in their entirety lines 8 through 11, inclusive; and in line 18, after "(v)" insert "**"GROUP HOME OR ADULT DAY CARE CENTER" MEANS A GROUP HOME OR ADULT DAY CARE CENTER WHERE THE PATIENT'S MEDICAL RECORDS ARE MADE AVAILABLE TO THE DENTIST AND THE DENTAL HYGIENIST AND THAT OBTAINS THE CONSENT OF THE PATIENT OR THE PATIENT'S GUARDIAN FOR DENTAL HYGIENE SERVICES TO BE PROVIDED UNDER THIS SUBSECTION.**

**(VI) "MEDICAL OFFICE" MEANS AN OFFICE OF A LICENSED PHYSICIAN WHO PROVIDES PRENATAL OR PRIMARY MEDICAL CARE AND IN WHICH THE PHYSICIAN, SUPERVISING DENTIST, AND DENTAL HYGIENIST COMMUNICATE IN PROVIDING DENTAL HYGIENE SERVICES TO A PATIENT.**

**(VII)**".

On page 3, in lines 11 and 28, in each instance, strike "2 years" and substitute "**3,000 HOURS**"; in line 16, strike the brackets; strike beginning with "**UNLESS**" in line 16 down through "**ADEQUATE**" in line 17; in line 19, after "services" insert "**, UNLESS THE DENTAL HYGIENIST PROVIDES THE EQUIPMENT DESCRIBED**"; in line 27, strike "and"; in line 29, after "care" insert "**; AND**

**(IV) HAVE A WRITTEN AGREEMENT BETWEEN THE SUPERVISING DENTIST AND THE DENTAL HYGIENIST THAT:**

**1. CLEARLY SETS FORTH THE TERMS AND CONDITIONS UNDER WHICH THE DENTAL HYGIENIST MAY PRACTICE, INCLUDING A STATEMENT THAT THE DENTAL HYGIENIST MAY PROVIDE DENTAL HYGIENE SERVICES WITHOUT THE SUPERVISING DENTIST ON THE PREMISES UNLESS THIS TITLE REQUIRES THAT A LICENSED DENTIST BE ON THE PREMISES IN ORDER FOR THE SERVICE TO BE PERFORMED BY THE DENTAL HYGIENIST;**

**2. INDICATES THE POPULATION TO BE SERVED;**

**3. STATES THE METHOD BY WHICH THE SERVICES ARE TO BE PROVIDED AND THE PROCEDURES TO BE USED BY THE SUPERVISING DENTIST TO OVERSEE AND DIRECT THE DENTAL HYGIENIST; AND**

**4. STATES THE NAMES AND LICENSE NUMBERS OF THE DENTIST AND DENTAL HYGIENIST PERFORMING SERVICES UNDER THE WRITTEN AGREEMENT**".

On pages 3 and 4, strike beginning with "**IN**" in line 31 on page 3 down through "**SUBTITLE**" in line 1 on page 4.

On page 4, in line 2, strike the brackets; strike in their entirety lines 3 through 26, inclusive; and in line 27, strike "**(V)**" and substitute "**(I)**".

On page 5, in lines 1 and 3, in each instance, strike the bracket; in lines 1, 10, 13, and 21, strike "(iii)", "**(VII)**", "(v)", and "**(VIII)**", respectively, and substitute "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; in line 2, after "in" insert "**OR CONCERNS ABOUT**"; in the same line, strike "recall"; strike in their entirety lines 4 through 9, inclusive; in line 11, strike "individual"; in line 12, strike "**AND**"; in lines 13 and 20, in each instance, strike the bracket; in line 13, after "procedures" insert "**PROVIDED DURING THE INITIAL APPOINTMENT**"; after line 16, insert:

"**4. FULL MOUTH DEBRIDEMENT;**";

in lines 17 and 19, strike "4." and "5.", respectively, and substitute "**5.**" and "**6.**", respectively; in line 17, strike "Assessment of" and substitute "**ASSESSING**"; in line 21, strike the second set of brackets; in the same line, strike "**AN**"; in line 25, after "services" insert "**FOLLOWING THE INITIAL APPOINTMENT**"; in line 27, after the closing bracket insert "**PATIENT AND THE**"; and in lines 28 and 29, strike "**AFTER INITIAL TREATMENT BY THE DENTAL HYGIENIST**".

On page 6, in line 1, after "record" insert "**THE SCOPE OF**"; in lines 3 and 4, strike "**2 YEARS**" and substitute "**12 MONTHS**"; in lines 4 and 5, strike "**AND DENTAL HYGIENIST**"; in line 7, after the closing bracket insert "**PATIENT AND THE**"; in line 10,

after "**THE**" insert "**TREATMENT**"; in line 11, strike "treatment," and substitute "**FOLLOWING THE INITIAL APPOINTMENT,**"; in the same line, strike "**AND**" and substitute "**DETERMINES, IN CONSULTATION WITH**"; in line 12, strike "**JOINTLY DETERMINE**" and substitute a comma; and after line 12, insert:

"**(7) WHILE PERFORMING DENTAL HYGIENE SERVICES FOR A PATIENT UNDER PARAGRAPH (6)(III) OF THIS SUBSECTION, A DENTAL HYGIENIST SHALL:**

**(I) ASSESS WITH THE SUPERVISING DENTIST THE APPROPRIATE RECALL INTERVAL BASED ON THE NEEDS OF THE PATIENT;**

**(II) LIMIT SERVICES TO THE PREVENTIVE SERVICES AUTHORIZED UNDER THE CURRENT SCOPE OF PRACTICE OF A LICENSED DENTAL HYGIENIST EXCEPT FOR THOSE SERVICES FOR WHICH THE PRESENCE OF A LICENSED DENTIST ON THE PREMISES IS REQUIRED UNDER THIS TITLE; AND**

**(III) REPORT PATIENT CLINICAL FINDINGS TO THE SUPERVISING DENTIST AND, WITH THE SUPERVISING DENTIST, DETERMINE WHETHER THE PATIENT SHOULD BE REFERRED FOR A FOLLOW–UP EXAMINATION OR CARE BY THE SUPERVISING DENTIST.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 829** – **Delegates Ghrist, Adams, Kelly, Mautz, and Sample–Hughes**

AN ACT concerning

**Health Insurance – Provider Panels – Graduate Providers**

**HB0829/906688/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 829

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Sample–Hughes" and substitute "Sample–Hughes, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young"; in line 5, after the second "worker," insert "**LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR, LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, LICENSED GRADUATE PROFESSIONAL ART THERAPIST,**".

AMENDMENT NO. 2

On page 2, in line 11, after "**A**" insert "**LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR, A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, A LICENSED GRADUATE PROFESSIONAL ART THERAPIST, OR A**"; and in line 12, after "**AS**" insert "**THOSE TERMS ARE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0829/323429/1**
BY: Delegate Cullison

AMENDMENT TO HOUSE BILL 829, AS AMENDED

In the Health and Government Operations Committee Amendments (HB0829/906688/1), in Amendment No. 1, strike beginning with "**LICENSED**" in line 5 down through "**THERAPIST,**" in line 7 and substitute "licensed graduate alcohol and drug counselor, licensed graduate marriage and family therapist, licensed graduate professional art therapist,".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 924 – Delegates Cullison, Kipke, R. Lewis, Reznik, Saab, Sample–Hughes, and P. Young**

AN ACT concerning

**State Board of Physicians – Registered Cardiovascular Invasive Specialists**

**HB0924/126181/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 924
(First Reading File Bill)

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Johnson, Kelly, Kerr, Krebs, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Szeliga, and K. Young".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

**House Bill 1183 – Delegates Hill, Bartlett, Cain, Carr, Clippinger, Crutchfield, Cullison, Ebersole, Feldmark, Haynes, Hettleman, Johnson, Kelly, R. Lewis, Luedtke, McIntosh, Qi, Shetty, Terrasa, and K. Young**

AN ACT concerning

**Public Health – Treatment for the Prevention of HIV – Consent by Minors**

Favorable report adopted.

Delegate Arikan moved to make the Bill a Special Order for next session.

The motion was adopted.

## SPECIAL ORDERS

**House Bill 1172 – Delegate Cassilly**

AN ACT concerning

**Economic Development – Regional Advanced Manufacturing Partnership of Maryland**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1172/673624/1**
BY: Delegate Johnson

AMENDMENTS TO HOUSE BILL 1172, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1172/345867/1), in line 2 of Amendment No. 1, strike "and Reilly" and substitute ", Reilly, Lisanti, Johnson, Szeliga, Arikan, Hornberger, and McComas".

On page 1 of the bill, in line 10, after "opportunities;" insert "requiring the Partnership to report certain information annually to the Governor and the General Assembly;".

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, strike "**(XIII)**" and substitute "**(XV)**"; and in line 7, strike "**AND**" and substitute:

"**(XIII) THE SUPERINTENDENT OF THE HARFORD COUNTY PUBLIC SCHOOLS, OR THE SUPERINTENDENT'S DESIGNEE;**

**(XIV) THE EXECUTIVE DIRECTOR OF THE HARFORD COUNTY CHAMBER OF COMMERCE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND**".

On page 5 of the bill, in line 19, before "To" insert "**(A)**".

On page 6 of the bill, in lines 3, 6, and 10, in each instance, strike "additive" and substitute "**ADVANCED**"; and after line 16, insert:

"**(B) ON OR BEFORE OCTOBER 1, 2019, AND EACH OCTOBER 1 THEREAFTER, THE PARTNERSHIP SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON ITS PROGRESS IN CARRYING OUT THE REQUIREMENTS OF THIS SECTION.**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

## LETTERS OF REASSIGNMENT

March 11, 2019

**MEMORANDUM**

To: Chair, Ways and Means Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

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:

| Bill/Resolution No. | Reassignment |
|---|---|
| SB 422 | APP |

Read and ordered journalized.

## QUORUM CALL

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

(See Roll Call No. 461)

## RECESS

At 12:36 P.M. on motion of Delegate Dumais the House recessed until 5:30 P.M. on Legislative Day, March 11, 2019, Calendar Day, Thursday, March 14, 2019.

**AFTER RECESS**
**Annapolis, Maryland**
**Legislative Day: March 11, 2019**
**Calendar Day: Thursday, March 14, 2019**

At 5:53 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Johnny Mautz of Caroline, Dorchester, Talbot, and Wicomico Counties.

## QUORUM CALL

The presiding officer announced a quorum call, showing 112 Members present.

(See Roll Call No. 463)

EXCUSED:
Del. P. Young – personal

The Journal of March 14, 2019 was read and approved.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 28

**Senate Bill 104 – Washington County Senators**

AN ACT concerning

**Washington County – Alcoholic Beverages – Wineries – Special Event Permits**

FOR the purpose of authorizing the Board of License Commissioners for Washington County to permit a certain license holder that has been issued a certain special events permit to sell a certain sparkling wine not produced by the license holder; ~~increasing the number of times a license holder may use a certain special events permit in a year; authorizing the Board to permit a license holder to use a certain special events permit more than a certain number of times in a year; repealing~~ extending a certain termination provision relating to the issuance of a certain special events permit by the Board; providing for the termination of this Act; and generally relating to sales of alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102 and 31–401
Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–402.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2017
Section 2

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

**Senate Bill 286 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Department of Legislative Services – Publication of Municipal Charter Amendments and Local Laws of Charter and Code Counties**

FOR the purpose of repealing a certain requirement that the Department of Legislative Services publish and index the titles of certain municipal charter amendments and local laws of charter and code counties in the Session Laws of the General Assembly; requiring the Department to publish the titles or the full text of municipal charter amendments and local laws of charter and code counties on the General Assembly website; making certain conforming changes; and generally relating to the publication requirements of the Department of Legislative Services regarding municipal charter amendments and local laws of charter and code counties.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 4–214, 4–311(c), 9–207(c), and 9–315(c)
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1243(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 390 – Senators Bailey, Carozza, Eckardt, Edwards, Hershey, Hough, Ready, Salling, and Serafini**

AN ACT concerning

**Natural Resources – Sunday Hunting – ~~Deer~~ St. Mary's County**

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt ~~deer on a Sunday throughout the deer hunting season on public land designated by the Department or private property, subject to certain requirements and limitations;~~ game birds or mammals on a Sunday during the open season for that game bird or mammal on private property or certain public land in St. Mary's County under certain circumstances; and generally relating to Sunday ~~deer~~ hunting in St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 590 – Washington County Senators**

AN ACT concerning

**Washington County – Code of Public Local Laws – Legalization**

FOR the purpose of legalizing the 2019 edition of the Code of Public Local Laws of Washington County, being Article 22 of the Code of Public Local Laws of Maryland, published under the direction of the Board of County Commissioners of Washington County; making provisions for the publication, sale, and distribution of the Code of Public Local Laws of Washington County; and generally relating to the legalization of the Code of Public Local Laws of Washington County.

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 704 – Senators Feldman, Carter, Hershey, Hester, Hough, Reilly, Smith, Washington, West, and Young**

AN ACT concerning

**Alcoholic Beverages – Beer Franchise Agreements – Notice of Nonrenewal or Termination**

FOR the purpose of ~~limiting the application of the time frame for nonrenewal or termination of a beer franchise agreement to a large franchisor;~~ specifying a certain time frame within which a ~~small~~ certain franchisor is required to notify a franchisee of an intention to terminate or refuse to renew a beer franchise agreement;

~~establishing certain other notice requirements for franchisees; specifying that only a large franchisor is prohibited from~~ exempting certain franchisors from a prohibition against terminating or refusing to continue or renew a beer franchise agreement without good cause under certain circumstances; requiring a ~~small~~ certain franchisor to buy back certain beer at a certain price from a certain franchisee under certain circumstances; providing for the application of this Act; ~~making a technical change; defining certain terms;~~ and generally relating to alcoholic beverages.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section ~~5–101,~~ 5–107, 5–108, and 5–109~~, and 5–201~~
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 5–109
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 719 – Senators Elfreth, Rosapepe, Augustine, Beidle, Benson, Carter, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Hough, Kagan, King, Klausmeier, Kramer, Lam, Lee, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky~~, Rosapepe~~, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker**

AN ACT concerning

**University System of Maryland – Board of Regents – Transparency and Oversight**

FOR the purpose of altering the membership of the Board of Regents of the University System of Maryland; requiring the President of the Senate and the Speaker of the House of Delegates to appoint certain members to the Board; requiring the Senate to consider appointees to the Board collectively during a certain period of time to ensure a certain balance of membership; requiring the Governor to notify the Senate of certain appointments; specifying when the Board shall elect a chairperson; requiring the chairperson, except under certain circumstances, to serve in the position subject to the advice and consent of the Senate; altering the term of the student members of the Board; requiring the Board to make certain meetings available to the public by live and archived video streaming and to make certain documents available to the public; ~~requiring the Board to conduct certain activities in open session;~~ altering the voting rights of the student members of the Board; making conforming changes; and generally relating to the Board of Regents of the University System of Maryland.

BY repealing and reenacting, with amendments,
Article – Education
Section 12–102 and 12–103
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 741 – Senator Hester**

AN ACT concerning

~~**Maryland Historical Trust – Properties Subject to Historic Preservation Easements – Waiver Process**~~
**Secretary of Planning – Adaptive Reuse of Historic Properties – Study**

FOR the purpose of ~~requiring the Maryland Historical Trust to develop a process for the waiver, in exceptional circumstances, of certain requirements, regulations, and processes applicable to a property subject to a certain historic preservation easement; specifying the conditions under which exceptional circumstances exist for purposes of this Act; and generally relating to properties subject to historic preservation easements held by the Maryland Historical Trust~~ requiring the Secretary of Planning to contract with a certain consultant to conduct a certain study on the adaptive reuse of certain historic properties; authorizing the Secretary to use up to a certain amount to pay for the costs of the study; requiring that the work of the consultant be guided by a certain steering committee; requiring that the study focus on certain complexes and campuses; prohibiting the study from including certain properties; requiring that the study identify certain factors and obstacles, develop a certain historic resource package, develop certain case studies, and provide certain recommendations; requiring that certain reports be submitted to certain persons on or before certain dates; and generally relating to a study of the adaptive reuse of historic properties.

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 5A–301(a), (m), and (n)~~
~~Annotated Code of Maryland~~
~~(2015 Replacement Volume and 2018 Supplement)~~

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 5A–321~~
~~Annotated Code of Maryland~~
~~(2015 Replacement Volume and 2018 Supplement)~~

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 807 – Senator Patterson**

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Relationships, Continuing Education, and Disclosures**

FOR the purpose of altering the subject matter of a certain continuing education course required by the State Real Estate Commission to include the principles of real estate brokerage relationships and disclosures; prohibiting a licensee from disclosing confidential information obtained from a prospective client except under certain circumstances; specifying that certain licensees may not be deemed to have a certain relationship under certain circumstances; altering certain definitions; repealing the definition of "agency relationship"; defining a certain term; making certain stylistic and conforming changes; and generally relating to real estate brokerage relationships and disclosures.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 17–315(b)(1)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–315(b)(2)(v), 17–528, 17–532, 17–534(a), and 17–535(a)
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 852 – Senators Griffith, Smith, Benson, Eckardt, Edwards, Ellis, Feldman, Hershey, Hester, Jennings, Miller, Peters, Reilly, Rosapepe, ~~and Zucker~~ Zucker, and Simonaire**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Veterans and Military Service Members and Spouses – Occupational Licenses**

FOR the purpose of altering the definition of "military spouse" to include the surviving spouse of a service member who dies at any time before an application for a license; altering the definition of "veteran" to include former service members who have been discharged for more than 1 year before an application for a license; requiring units of the Department of Labor, Licensing, and Regulation to ~~establish the period of time~~

~~during which each unit must approve or disapprove an application for an expedited temporary license for certain applicants; requiring certain units to approve or disapprove an application for an expedited temporary license during a certain time period established by the Department;~~ issue a certain license to certain applicants within a certain period of time; repealing references to the issuance of a temporary license to certain applicants; requiring the Department to publish certain information prominently on its website; requiring each unit to publish prominently on its website the time period during which the unit must ~~approve or disapprove an application for~~ issue ~~a temporary~~ an expedited license for certain applicants; and generally relating to occupational licenses for veterans and military service members and their spouses.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 2.5–101(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 2.5–101(c) and (f), 2.5–105, and 2.5–107
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 879 – Senators Griffith, Miller, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Guzzone, Hayes, Hershey, Hester, Hough, Jennings, Kagan, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**

AN ACT concerning

**Primary and Secondary Education – Black History Month – Harriet Tubman and Frederick Douglass**

FOR the purpose of requiring certain public schools to devote a certain part of the day to exercises that relate to Black History Month with an emphasis on certain individuals and the contributions they made in the fight against slavery; and generally relating to Black History Month and Harriet Tubman and Frederick Douglass.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103(c)(3)

Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

**Senate Bill 920 – Senator Eckardt**

AN ACT concerning

**Talbot County – Alcoholic Beverages – Election Days**

FOR the purpose of repealing certain provisions regarding a prohibition on the sale or provision of alcoholic beverages within an election district or precinct of Talbot County on the day of a certain election during the hours when the polls are open; and generally relating to alcoholic beverages in Talbot County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 30–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing
Article – Alcoholic Beverages
Section 30–2005
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 927 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages Licenses – Class D Beer License**

FOR the purpose of altering the authorization of certain license holders in Carroll County to sell beer at retail for off–premises consumption; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 16–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 16–604
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 943 – Senator Eckardt**

AN ACT concerning

**Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners**

FOR the purpose of authorizing the Governor to appoint a substitute member to the Talbot County Board of License Commissioners; requiring the substitute member to serve on the Board under certain circumstances; establishing the powers and duties of the substitute member when serving on the Board; and generally relating to a substitute member of the Talbot County Board of License Commissioners.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 30–102 and 30–201
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 30–202
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 952 – Senators Young and Hough**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity**

FOR the purpose of repealing a certain seating capacity requirement for theaters in Frederick County for which the Board of License Commissioners may issue a license to sell beer and wine; and generally relating to the sale of alcoholic beverages by theaters in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages

Section 20–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–1014
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 955 – Senator Hershey**

AN ACT concerning

**Kent County Alcoholic Beverages Act of 2019**

FOR the purpose of authorizing a holder of a Class D beer, wine, and liquor license in Kent County to sell alcoholic beverages for off–premises consumption as well as on–premises consumption; repealing a certain provision of law concerning Sunday sales under a Class D license; increasing the maximum number of rooms that a facility with a Class B (country inn) beer, wine, and liquor license may offer to the public as sleeping accommodations; decreasing the minimum number of permanently installed seats required in a theater with a theater beer, wine, and liquor license; authorizing a licensed theater to regularly present cinematic as well as live entertainment; altering the hours of sale for a licensed theater; and generally relating to alcoholic beverages licenses in Kent County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 24–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 24–904, 24–1002, and 24–1004
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 960 – ~~Senator Jennings~~ Senators Jennings, Gallion, and Cassilly**

AN ACT concerning

**Harford County – Alcoholic Beverages – Seasonal Closing**

FOR the purpose of altering the number of months that the Board of License Commissioners for Harford County may authorize for a seasonally operated licensed premises to be closed under certain circumstances; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 22–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 22–2202
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**MESSAGE FROM THE SENATE**
**INTRODUCTORY SENATE BILLS NO. 29**

**Senate Bill 134 – Senators Nathan–Pulliam, Augustine, Carter, Eckardt, Elfreth, Ellis, Feldman, Griffith, Guzzone, Kelley, and Lee**

AN ACT concerning

**State Board of Nursing – Criminal History Records Checks – ~~Certified Nursing Assistants and Certified Medication Technicians~~ Revised Statement**

FOR the purpose of ~~requiring certain applicants for certification as a medication technician by the State Board of Nursing to submit to a certain criminal history records check;~~ requiring the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services to provide a revised criminal history record to the Board under certain circumstances; ~~requiring the Board to require a certain criminal history records check for certain applicants for certification and for certain former certified medication technicians who file for reinstatement; requiring the Board to require certain certified medication technicians to obtain a certain criminal history records check as a condition of a certain certificate renewal; providing for the application of this Act;~~ and generally relating to criminal history records checks for ~~certified~~ nurses and nursing assistants ~~and certified medication technicians~~.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 8–303~~, 8–6A–05(c), 8–6A–07(h), and 8–6A–08(k)(1)~~
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 195 – Senators Kelley, Feldman, Ferguson, Guzzone, Hayes, Kramer, Lam, Peters, Pinsky, Rosapepe, Washington, and Young**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Revisions**

FOR the purpose of requiring, instead of authorizing, the Prescription Drug Monitoring Program to review prescription monitoring data for indications of a possible misuse or abuse of a monitored prescription drug; requiring, instead of authorizing, the Program to report the possible misuse or abuse to the prescriber or dispenser of the monitored prescription drug under certain circumstances; requiring the Program to provide education to the prescriber or dispenser of the monitored prescription drug under certain circumstances; requiring, instead of authorizing, the Program to review prescription monitoring data for indications of a possible violation of law or a possible breach of professional standards by a prescriber or a dispenser; requiring, instead of authorizing, the Program to notify the prescriber or dispenser of the possible violation of law or possible breach of professional standards and provide education to the prescriber or dispenser; authorizing the Program, under certain circumstances, to provide prescription monitoring data to the Office of Controlled Substances Administration for a certain purpose; requiring the Program, under certain circumstances, to provide a certain notification to certain prescribers or dispensers; requiring the Program to take into account certain factors in making a certain determination; ~~prohibiting the obtaining of certain guidance and interpretation from the technical advisory committee from delaying the reporting of a possible violation of law or a possible breach of professional standards to the Office of Controlled Substances Administration under certain circumstances;~~ authorizing the Program to refer a certain violation of law or a certain breach of professional standards to the Office of Controlled Substances Administration for a certain investigation under certain circumstances and under certain conditions; requiring the Office of Controlled Substances Administration, under certain circumstances, to conduct a certain review and to take certain action; altering a certain reporting requirement; specifying the intent of the General Assembly; defining a certain term; making ~~a~~ conforming ~~change~~ changes; and generally relating to the Prescription Drug Monitoring Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–2A–01, 21–2A–05(f), and 21–2A–06(c) and (d)
Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–2A–02(a), 21–2A–04, 21–2A–06(a) and (b), and 21–2A–07(a) and (b)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 21–2A–06(c) and (d)~~
~~Annotated Code of Maryland~~
~~(2015 Replacement Volume and 2018 Supplement)~~

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

**Senate Bill 205 – The President (By Request) and Senator Zirkin**

AN ACT concerning

**Judgeships – Circuit Court and District Court**

FOR the purpose of altering the number of resident judges of the circuit court in a certain county; altering the number of resident judges of the District Court in certain districts; and generally relating to judgeships in circuit courts and the District Court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–503 and 1–603(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 232 – ~~Senator Zirkin~~ Senators Kramer, Zirkin, Smith, Carter, Hester, Lee, Ready, Waldstreicher, Washington, and West**

AN ACT concerning

**Hate Crimes – Threats ~~and Penalties~~**

FOR the purpose of prohibiting a person from threatening to commit certain hate crimes; applying ~~and altering~~ certain penalties; ~~authorizing a court to require a certain person to attend certain educational classes and perform certain community service as a condition of supervised release; making stylistic changes~~ repealing a certain duplicative prohibition; and generally relating to hate crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–302 ~~through 10–306~~, 10–304, and 10–305
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 10–302.1, 10–303.1, 10–304.1, and 10–305.1~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2018 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–303, 10–306, and 10–308
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 242 – Senators Lee, Feldman, ~~and West~~ West, and Hough**

AN ACT concerning

**Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges**

FOR the purpose of altering a certain time period after which a court is required to dismiss a certain charge against a defendant found incompetent to stand trial under certain circumstances; making conforming changes; and generally relating to incompetency and criminal responsibility.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 3–107
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 255 – Senators Hayes ~~and Miller~~, Miller, and West**

AN ACT concerning

**Abandoned Property in Possession of a Museum**

FOR the purpose of authorizing certain museums located in the State to claim title to certain property in possession of the museum after providing certain notices; requiring a museum, before taking title to certain property, to provide certain notices in a certain manner; requiring the lender or new owner of certain property to notify a museum of certain information; authorizing a museum, under certain circumstances, to provide notice by publication; requiring any notice provided by a museum to contain certain information; requiring a lender to notify a museum of ownership of certain property within a certain number of days after the museum provides a certain notice; providing that after a certain number of years and under certain circumstances certain property is presumed abandoned; authorizing, under certain circumstances, a museum to apply certain conservation measures to certain property ~~on loan to the museum~~; providing that a museum, under certain circumstances, acquires a lien on certain property in the amount of conservation measure costs incurred by the museum; providing that a museum, with a certain belief and exercising certain care, is not liable for injury or loss to certain property when taking certain conservation measures; defining certain terms; and generally relating to property in possession of a museum.

BY adding to
Article – Commercial Law
Section 16–801 and 16–802 to be under the new subtitle "Subtitle 8. Museum's Lien"; and 17–401 through 17–408 to be under the new subtitle "Subtitle 4. Abandoned Property in Possession of a Museum"
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 261 – Senator Ferguson**

AN ACT concerning

**Estates and Trusts – Administration of Estates – Waiver of Fees – Required**

FOR the purpose of requiring, rather than authorizing, a register of wills to waive certain fees for the administration of an estate if certain real property subject to administration in this State is to be transferred to a certain individual or is encumbered by a lien and subject to sale under certain provisions of law, and the estate is unable to pay the fees by reason of poverty; providing for the prospective application of this Act; and generally relating to fees for estate administration.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–206(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 317 – Senators Reilly, Bailey, Eckardt, Gallion, Hershey, and Salling**

AN ACT concerning

**Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse ~~(Chuck's Law)~~**

FOR the purpose of altering the share of the intestate estate of a decedent inherited by a surviving spouse under certain circumstances; providing for the application of this Act; and generally relating to intestate property inherited by a surviving spouse.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–102
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 381 – Senator West**

AN ACT concerning

**Trusts – Maryland Trust Act – Methods of Notice**

FOR the purpose of authorizing a trustee to provide notice to a person under the Maryland Trust Act by certain methods; requiring a trustee to receive authorization in writing from a person entitled to receive notice before providing notice by certain alternative methods; authorizing a person to revoke a trustee's authorization to provide notice by an alternative method; authorizing a trustee to provide notice by an alternative method until the trustee's authorization to provide notice by an alternative method is revoked; requiring a trustee to provide notice to a person by a certain method if the trustee knows or should know that the person did not receive notice; authorizing a trustee to provide a person certain notice in a certain manner; making conforming changes; making a technical correction; defining a certain term; and generally relating to notice under the Maryland Trust Act.

BY renumbering
Article – Estates and Trusts
Section 14.5–103(f) through (bb), respectively
to be Section 14.5–103(g) through (cc), respectively
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Estates and Trusts
Section 14.5–103(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY adding to
Article – Estates and Trusts
Section 14.5–103(f)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14.5–109 and 14.5–813
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 382 – Senator West**

AN ACT concerning

**Maryland Trust Act – Division or Consolidation of Trust**

FOR the purpose of authorizing a trustee to divide a trust into two or more separate trusts or consolidate two or more trusts into a single trust if a beneficiary does not object in writing within a certain time frame; requiring a trustee to divide a trust into two or more separate trusts or consolidate two or more trusts into a single trust in a certain manner; and generally relating to the division or consolidation of trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14.5–415
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 386 – Senator Zirkin**

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Sunday Sales**

FOR the purpose of authorizing in Baltimore County the holder of a manufacturer's license or a wholesaler's license to sell or deliver alcoholic beverages to a holder of a retail

alcoholic beverages license on Sunday; authorizing holders of certain classes of retail alcoholic beverages licenses to sell alcoholic beverages on Sunday during the same hours as on the other days of the week; making certain conforming changes; and generally relating to the sale of alcoholic beverages on Sunday in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–402, 13–502, 13–2003, and 13–2004
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

**Senate Bill 448 – Senators Pinsky, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Kagan, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Rosapepe, Simonaire, Smith, Waldstreicher, Washington, West, Young, and Zucker**

AN ACT concerning

**Oysters – Tributary–Scale Sanctuaries – Protection and Restoration**

FOR the purpose of establishing a network of oyster sanctuaries in certain tributaries to the Chesapeake Bay; codifying the boundaries of certain oyster sanctuaries; prohibiting a person from catching oysters in or removing oysters from a certain oyster sanctuary, subject to a certain exception; requiring the Department of Natural Resources, in coordination with certain groups and stakeholders, to develop and implement restoration plans for certain oyster sanctuaries; specifying the required contents of a restoration plan; requiring the Department to report to certain committees of the General Assembly on or before a certain date; requiring the Department, in consultation with certain groups and stakeholders, to finalize certain restoration plans on or before a certain date; requiring the Department to fully implement certain restoration plans on or before a certain date; and generally relating to tributary–scale oyster sanctuaries.

BY renumbering
Article – Natural Resources
Section 4–1014 through 4–1014.3, respectively
to be Section 4–1014.1 through 4–1014.4, respectively
Annotated Code of Maryland

(2018 Replacement Volume)

BY adding to
Article – Natural Resources
Section 4–1014
Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 483 – Senators Guzzone and Hester**

AN ACT concerning

**Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant Qualifications – Alterations**

FOR the purpose of altering the purpose and use of the Maryland Farms and Families Fund; requiring the Governor to include a certain appropriation to the Fund in the annual budget bill each fiscal year, beginning in a certain fiscal year; providing that the appropriation is in addition to certain other funding for a certain division in the Department of Agriculture; altering certain qualifications for certain nonprofit organizations to receive a certain grant from the Fund; making stylistic changes; and generally relating to the Maryland Farms and Families Fund.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 10–2001 and 10–2002
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–2003 and 10–2004
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 496 – Senators Hayes, Benson, Edwards, Feldman, Guzzone, King, Klausmeier, Peters, Rosapepe, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Payroll Recovery Act – Sunset Repeal**

FOR the purpose of repealing the termination of certain provisions of law that require the Central Payroll Bureau of the Office of the State Comptroller to administer the payroll of certain employees in a certain manner and requiring that certain grievances are handled in a certain manner; and generally relating to the administration of the Central Payroll Bureau's payroll system.

BY repealing and reenacting, with amendments,
Chapter 783 of the Acts of the General Assembly of 2017
Section 3

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

**Senate Bill 532 – Senators Klausmeier, Beidle, Benson, Feldman, Hayes, and Reilly**

AN ACT concerning

**Insurance – Formation of Domestic Insurers – Number of Directors**

FOR the purpose of reducing the minimum number of members that a certain type of domestic insurance company is required to have on its board of directors; and generally relating to the formation of a domestic insurance company.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 3–103
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 535 – Senators Lam and Guzzone**

AN ACT concerning

**Election Law – Local Public Campaign Financing – Boards of Education**

FOR the purpose of altering a certain provision of law to authorize the governing body of a county to establish, by law, a system of public campaign financing for an elected member of the county board of education; prohibiting a certain system of public campaign financing from including public campaign financing for the election of a student member of a county board of education; requiring a system of public campaign financing to provide certain funds and staffing for certain purposes; requiring the governing body of a county that establishes a certain system of public campaign financing to implement public campaign financing for certain elective offices for one full election cycle before implementing public campaign financing for an elected member of the county board of education; making conforming changes;

making a technical correction; and generally relating to local public campaign financing.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–505
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 546 – Senators Pinsky, Ellis, Kagan, Lam, Lee, Nathan–Pulliam, Patterson, Smith, and Young**

AN ACT concerning

**Agriculture – Nutrient Management – Monitoring and Enforcement**

FOR the purpose of authorizing the Department of Agriculture to require a certain summary to take the form of an annual implementation report; requiring a certain person to include certain information in an annual implementation report under certain circumstances; requiring a manure broker to provide certain information to a certain person; requiring a person who holds a certain certificate or license to comply with certain reporting requirements and deadlines, including deadlines related to implementation of the Phosphorus Management Tool and the submission of certain soil test phosphorus levels; requiring the ~~State~~ Department of Agriculture, in determining where to focus certain enforcement efforts, to prioritize farms for which the Department of Agriculture has not received certain soil test phosphorus levels; ~~requiring the Department of Agriculture to establish a voluntary certification program for certain commercial manure haulers and brokers; requiring the Department of Agriculture, in consultation with a certain body, to adopt certain regulations relating to the certification of commercial manure haulers and brokers; requiring an applicant for certification as a commercial manure hauler or broker to submit a certain application and pay a certain fee; requiring the Department of Agriculture to certify any person that meets certain requirements; requiring a certified commercial manure hauler or broker to employ certain best management practices, land–apply manure in a certain manner, maintain certain records, allow the Department of Agriculture to review certain records at certain times, and submit a certain annual report; requiring the operator of a certain animal feeding operation to arrange for the removal of manure generated at the operation only through a certified commercial manure hauler or broker; establishing a certain fee for a certain certificate;~~ requiring the Department of Agriculture, beginning in a certain year, to include certain information on the production and use of animal manure by farm operations in a certain annual report; requiring a person to hold a certain discharge permit before the person may begin construction~~, including the clearing or grading of land,~~ on any part of a new concentrated animal feeding operation (CAFO); prohibiting the Department of the Environment from issuing a discharge permit to

a person that violates a certain provision of this Act; requiring the Department of the Environment to charge a certain minimum one–time permit application fee for a certain ~~proposed new~~ CAFO; requiring the Department of the Environment to charge a certain minimum annual permit fee for ~~a certain existing CAFO~~ continued coverage of a certain CAFO under a CAFO General Discharge permit; prohibiting the Department of the Environment from waiving the ~~permit~~ fee for a certain ~~user~~ permit; ~~requiring the Department of the Environment to impose certain conditions in a permit for the discharge of pollutants from a certain CAFO;~~ expanding the authorized uses of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to include ~~continuous~~ water quality monitoring by the Department of Natural Resources at certain sites; requiring the Department of Natural Resources to ~~deploy continuous water quality monitoring stations~~ conduct long–term sample collection in certain tributaries as part of a certain program; requiring ~~continuous water quality monitoring stations to be deployed at~~ the Department of Natural Resources to regularly collect samples from certain locations, at a minimum; requiring ~~certain continuous water quality monitoring stations to be located at sites where continuous water quality monitoring stations previously existed~~ certain water quality monitoring to be done in certain locations, to the extent practicable; establishing certain penalties; altering certain penalties; requiring the Department of the Environment to study and make recommendations regarding certain matters and to make a certain report on or before a certain date; defining certain terms; and generally relating to the monitoring and enforcement of laws and regulations relating to nutrient management.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–801.1(b), 8–803.1, and 8–807
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 8–803(f) and (g) ~~and 8–805~~
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY adding to
Article – Agriculture
Section 8–803(h) and (i) and ~~8–803.10~~ 8–801.1(c)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Agriculture~~
~~Section 8–803.1 and 8–806~~
~~Annotated Code of Maryland~~
~~(2016 Replacement Volume and 2018 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–301, 9–323, and 9–325~~, and 9–326~~
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–2A–01(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–01(c)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Natural Resources
Section 8–2A–05
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 563 – Senators Patterson and Benson**

AN ACT concerning

**Zoning – Special Exceptions – Construction or Operation of Landfills**

FOR the purpose of requiring a local governing body, on application by a property owner for a certain special exception to construct or operate a landfill, to require the preparation of an environmental justice analysis at the expense of the property owner; requiring an environmental justice analysis prepared under this Act to include certain descriptions and assessments; defining a certain term; providing for the application of this Act; providing that a certain catchline is not law and may not be considered to have been enacted as part of this Act; and generally relating to zoning and the construction or operation of landfills.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401 and 10–103
Annotated Code of Maryland
(2012 Volume and 2018 Supplement)

BY adding to
Article – Land Use
Section 4–213
Annotated Code of Maryland
(2012 Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 568 – Senator Lee**

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 provide the notice or make the report; establishing the misdemeanor of the knowing failure to report child abuse or neglect under certain circumstances; providing certain penalties for a violation of this Act; providing for the application 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
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–704
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 573 – Senator Feldman**

AN ACT concerning

**Energy Storage Pilot Project Act**

FOR the purpose of requiring the Public Service Commission to establish an energy storage pilot program; providing for the structure and operation of the program; requiring the Commission to require each investor–owned electric company to solicit offers to develop energy storage projects for certain commercial and regulatory models; requiring each investor–owned electric company to submit ~~an application~~

applications for projects from a certain number of models; establishing that a proposed project must be able to meet reasonably the program's timelines and data collection requirements; requiring an investor–owned electric company to prioritize projects that defer or replace certain needs under certain circumstances; requiring an investor–owned electric company to describe in a project application whether a project demonstrates certain attributes; requiring an investor–owned electric company to include certain information in a project application; authorizing the Commission, for a certain purpose, to determine how to address cost recovery for certain models; authorizing the Commission, for a certain purpose, to allow certain program activity on a project–by–project basis; providing for the beginning and termination of the pilot program; requiring an investor–owned electric company to solicit proposals and apply for Commission approval of certain projects on or before certain dates; requiring the Commission to make a certain determination on or before a certain date; requiring the Commission to solicit comments from certain stakeholders and hold a hearing on certain applications; requiring the Commission to approve, approve with modification, or reject a certain application; requiring an investor–owned electric company to submit a certain amended application within a certain time period; requiring the Commission to approve, approve with modifications, or reject a certain amended application within a certain period of time; authorizing the Commission to establish certain interim deadlines; requiring an investor–owned electric company to submit certain information or data on or before ~~a certain date;~~ certain dates; requiring an investor–owned electric company to make certain data available to the public; requiring certain data to be seasonally adjusted; ~~authorizing an investor–owned electric company, under certain circumstances, to apply for an extension of the pilot program on or before a certain date;~~ requiring the Commission to determine which data related to the projects may be made available only to certain persons and which data related to the projects may be made available to the public; authorizing the Commission to extend the pilot program and delay by a corresponding amount of time a certain evaluation and report under certain circumstances; requiring the Commission to submit a certain interim report to the General Assembly on or before a certain date; requiring the Commission to evaluate certain matters and report certain findings and recommendations to the General Assembly on or before a certain date under certain circumstances; establishing that the pilot program does not preclude any other investments in energy storage by a public service company; providing that the termination of the pilot program does not affect certain cost recovery by an investor–owned electric company; defining certain terms; and generally relating to pilot energy storage projects.

BY adding to
Article – Public Utilities
Section 7–216
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

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

**Senate Bill 594 – Senator Peters**

AN ACT concerning

**State Law Library – Renaming**

FOR the purpose of renaming the State Law Library to be the Thurgood Marshall State Law Library; providing that the Thurgood Marshall State Law Library is the successor of the State Law Library; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; providing that letterhead, business cards, and other documents reflecting the renaming of the Library may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Library before the effective date of this Act are used; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to correct cross–references and terminology in the Code that are rendered incorrect by this Act; making conforming changes; and generally relating to the renaming of the State Law Library.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 13–204(c), 13–501, 13–503, and 13–504
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 23–301(b)(2)(iv)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 9–102(2), 9–203(4), 9–206(b)(1)(iii), 9–306(d)(4), and 9–314(b)(1)(iii)
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–409(b)(3)(ii) and 7–216(c)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 690 – Senators Lee, Elfreth, Hough, Smith, Waldstreicher, and West**

AN ACT concerning

**Criminal Law – Human Trafficking and Prostitution Offenses**

FOR the purpose of altering the elements of the prohibitions against human trafficking and renaming them sex trafficking; prohibiting a person from violating certain provisions of this Act with the use of or intent to use force, threat, coercion, or fraud; prohibiting a person from knowingly receiving a certain benefit in relation to a violation of certain provisions of this Act; prohibiting a person from knowingly engaging in certain conduct with the intent to compel another to marry any person under certain circumstances; prohibiting a person from destroying, concealing, removing, confiscating, or possessing certain documents while violating certain provisions of this Act; prohibiting a person from aiding, abetting, or conspiring with another to violate certain provisions of this Act; establishing that the lack of knowledge about a victim's age is not a defense to certain offenses involving a child; establishing certain penalties for violations of this Act; reorganizing certain provisions of law relating to prostitution; defining certain terms; altering certain definitions; making conforming changes; and generally relating to human trafficking and prostitution offenses.

BY renumbering
Article – Criminal Law
Section 11–303 and 11–306, respectively
to be Section 3–1102 and 11–303, respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 15–207(b)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–19(d)(3)(i)6., 4–301(b)(25), 10–402(c)(2)(ii)1.O., and 10–406(a)(15)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–324(b), 9–801(g)(2), 11–305, and 14–101(a)(24) and (25)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Criminal Law

Section 3–1101 and 3–1103 to be under the new subtitle "Subtitle 11. Human Trafficking"; 11–306, 11–307, and 14–101(a)(26)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–1102 and 11–303
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 11–301
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–302(a), 10–110(a)(1)(xiv), 10–301(f)(12), 11–701(p)(2), 13–501(g), 13–502, 13–503, 13–507, 13–508(a), 13–514, 13–518(a)(7), 13–522, 13–524, 13–525(a)(1), and 13–528(c)(1)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–412(c)(11)
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 695 – Senator Kramer**

AN ACT concerning

**Maryland Commercial Receivership Act**

FOR the purpose of authorizing a court to appoint a receiver under certain circumstances; providing that a certain mortgagee is entitled to appointment of a receiver; requiring a court to appoint a receiver under certain circumstances; authorizing a court to condition appointment of a receiver on the giving of certain security under certain circumstances; authorizing a court to appoint a certain person as an ancillary receiver for certain property; specifying certain requirements an ancillary receiver must meet; authorizing a court to issue a certain order; establishing the rights,

powers, and duties of an ancillary receiver; prohibiting a court from appointing a certain person as a receiver; providing that a person is disqualified from appointment as a receiver under certain circumstances; authorizing a certain person to nominate a person to serve as receiver; specifying that a court is not bound by a certain nomination; authorizing a court to determine whether or not a receiver must post a certain bond or security with the court; providing that a certain bond may meet certain requirements; establishing the authority of a court that appoints a receiver under this Act; establishing the powers, duties, and rights of a receiver; requiring a certain claim submitted by a creditor to meet certain requirements; providing for the effectiveness of a certain assignment of a certain claim; requiring the court to respond to a certain claim and authorizing the court to order certain actions; requiring that a certain distribution of receivership property be made in a certain manner; prohibiting a receiver from engaging certain professionals without court approval; requiring a certain request to disclose certain information to the court; providing that a certain person is not disqualified from certain engagement under certain circumstances; authorizing a court to disqualify a certain person if the court makes a certain determination about a conflict of interest; providing that this Act does not prevent a receiver from serving in the receivership in a certain capacity; requiring a certain person or a receiver to file a certain itemized statement with the court; requiring a court to set a certain hearing under certain circumstances; authorizing a court to order a certain sale; providing that a certain transfer of property may be free and clear of a certain lien or other interest in the property under certain circumstances; providing that a certain lien or other interest attaches to certain proceeds in a certain manner; authorizing a certain purchase of property by a creditor under certain circumstances; providing that a certain reversal or modification of a certain order does not have certain effects; authorizing a court to condition assumption or rejection of a certain contract on certain terms and conditions; providing that a certain performance of a certain contract does not constitute a certain assumption or agreement or prevent a certain action; authorizing a court to order a receiver to assume or reject a certain contract under certain circumstances; providing that a certain obligation or liability must be treated in a certain manner; providing that a certain rejection of a certain contract shall be effective at a certain time and treated in a certain manner; providing that a certain right to possess or use property shall terminate on rejection of a certain contract; requiring a certain claim for damages to be submitted before the later of the time for submitting a certain claim or a certain number of days after entry of a certain order; providing for the effects of a certain rejection of a certain contract; prohibiting a receiver from assuming or assigning a certain contract under certain circumstances; authorizing a receiver to assign a certain contract under certain circumstances; prohibiting a receiver from rejecting a certain lease under certain circumstances; providing that a certain entry of an order appointing a receiver shall operate as a stay of a certain act; authorizing a court to order a certain stay under certain circumstances; prohibiting a court from ordering a certain stay under certain circumstances; providing that certain matters are not stayed under certain circumstances; authorizing a certain person to apply to the court for relief from a stay under certain circumstances; providing for the termination of a certain stay under certain circumstances; authorizing a court to void a certain act and take

certain actions against a person who violates a certain stay under certain circumstances; requiring a person who has certain possession, custody, or control of certain property to turn the property over to the receiver under certain circumstances; authorizing a certain creditor to retain possession, custody, or control of certain property under certain circumstances; providing that a certain person may not satisfy a certain debt in a certain manner; authorizing a court to sanction as civil contempt a certain failure; requiring a certain owner to take certain actions under certain circumstances; providing for the application of certain provisions of this Act regarding the duties of a certain owner; authorizing a court to take certain actions after a certain failure to perform a certain duty; providing that certain property is subject to a certain security agreement; providing that a certain request or application by a mortgagee does not have certain effects; requiring that a certain assignee for the benefit of creditors be treated as a certain receiver; requiring certain property to be treated in a certain manner; authorizing the court to issue a certain order under certain circumstances; requiring a certain motion to be served in a certain manner and on certain persons; ~~authorizing a certain party to file a certain appeal under certain circumstances and in a certain manner~~ authorizing a court to direct an entry of a final order under certain circumstances; establishing certain reporting requirements; authorizing a court to award certain fees and expenses and order a certain person to pay certain fees and expenses; providing that a receiver is entitled to certain defenses and immunities; requiring a person to receive certain approval from a court before taking certain actions; authorizing a court to remove a receiver under certain circumstances; requiring a court to replace a certain receiver; providing that a receiver is discharged under certain circumstances; requiring a receivership to terminate automatically under certain circumstances; authorizing a court to discharge a receiver and terminate the court's administration of the receivership under certain circumstances; repealing certain provisions of law regarding an assignee for the benefit of creditors; establishing a certain short title; providing for the application of this Act; defining certain terms; and generally relating to the Maryland Commercial Receivership Act.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 15–101 and 15–102
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing
Article – Commercial Law
Section 15–103
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY adding to
Article – Commercial Law
Section 24–101 through 24–801 to be under the new title "Title 24. Maryland Commercial Receivership Act"

Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 3–416
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 705 – Senators Feldman, Augustine, Guzzone, Peters, and Rosapepe**

AN ACT concerning

**Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave**

FOR the purpose of prohibiting certain insurers, based solely on the status of an applicant or individual as an organ donor, from taking certain actions relating to certain insurance policies; prohibiting certain insurers from prohibiting an applicant or individual from donating an organ as a condition of insurance; providing that, with respect to all other medical conditions, a certain applicant or individual is subject to certain standards as an applicant or individual who is not an organ donor; providing that certain employees are entitled to a certain number of business days of unpaid organ donation leave in a certain period; requiring an eligible employee to provide certain written physician verification to the employer to receive organ donation leave; prohibiting organ donation leave from being taken concurrently with any leave taken under the federal Family and Medical Leave Act; prohibiting an employer from considering any period of organ donation leave to be a break in the eligible employee's continuous service for certain purposes; requiring, except under certain circumstances, that an eligible employee returning to work after taking organ donation leave be restored to a certain position of employment; requiring an employer to maintain in a certain manner certain health coverage for the duration of the eligible employee's organ donation leave; requiring an employer to pay certain commissions to certain employees during any period of organ donation leave; requiring the Commissioner of Labor and Industry to adopt certain regulations; requiring the Commissioner to take certain actions regarding certain violations of certain provisions of law; authorizing the Attorney General to bring a certain action; prohibiting an employer from committing certain acts; authorizing the Commissioner to conduct, under certain circumstances, an investigation regarding whether a certain provision of law has been violated; providing for the construction of certain provisions of this Act; prohibiting certain rights for employees from being diminished by a collective bargaining agreement or an employment benefit program or plan; providing for a delayed effective date for certain provisions of this Act; providing for the application of certain provisions of this Act; and generally relating to organ donation.

BY adding to
Article – Insurance
Section 27–501(s)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY adding to
Article – Labor and Employment
Section 3–103(l); and 3–1401 through 3–1409 to be under the new subtitle "Subtitle 14. Organ Donation Leave"
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 710 – Anne Arundel County Senators (By Request – County Executive)**

AN ACT concerning

**Anne Arundel County – Ethics – ~~Prohibitions and Requirements Regarding Qualifying Contributions During Pendency of Zoning~~ Contributions and Participation in Development Applications**

FOR the purpose of specifying that certain provisions of law may apply to certain campaign contributions; authorizing the County Council of Anne Arundel County to enact a local law to regulate the participation of a member of the County Council or the County Executive of Anne Arundel County in any legislative action relevant to a zoning change or amendment or to a certain application if the member of the County Council or the County Executive accepts or has accepted, or as a candidate accepted, a campaign contribution from a certain individual or business entity; authorizing the County Council to enact a local law to prohibit or otherwise regulate certain campaign contributions; requiring the Anne Arundel County Ethics Commission to administer and implement a certain law; defining certain terms; ~~prohibiting applicants, agent of applicants, and immediate family members of the applicants and agents from making a certain qualifying payment to a certain candidate during the pendency of the application; prohibiting a certain political action committee from making a transfer to a candidate's authorized candidate campaign committee or a slate to which the candidate belongs; prohibiting a member from voting or participating in any way in the proceeding on an application under certain circumstances; providing that a member is not subject to the requirements of certain provisions of this Act under certain circumstances; requiring the applicant to file a certain affidavit under oath after the application is filed; requiring that the affidavit be filed at least a certain number of days before consideration of the application by the County Council of Anne Arundel County; requiring that a supplemental affidavit be filed whenever a qualifying contribution is made after the original affidavit was filed; providing that an applicant is not required to make certain representations in~~

~~the affidavit; authorizing anyone with authority to act on behalf of and bind a business entity to execute an affidavit on behalf of the business entity; providing that the only disclosures required under the affidavit are those involving certain individuals or business entities; requiring an agent to file an affidavit in an application only under certain circumstances; requiring an agent, under certain circumstances, to disclose in the affidavit a qualifying contribution made before becoming an agent; providing that, except under certain circumstances, certain persons are subject to this Act under certain circumstances; prohibiting a person from making a qualifying contribution in violation of this Act; requiring a qualifying contribution to be returned to the person who made the qualifying contribution if the qualifying contribution is made in violation of this Act; prohibiting applicants, agents, and immediate family members of the applicants and agents from taking any action, directly or indirectly, with the intent to circumvent the intent of this Act; requiring the Anne Arundel County Ethics Commission to administer and implement the provisions of this Act; defining~~ ~~certain terms; providing for the application of this Act; making the provisions of this Act severable;~~ and generally relating to ethics in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Election Law
Section ~~1–101(a), (c), (o), (ff), (oo), and (tt) and 13–306(a)(1) and (2)~~ 1–101(a) and (o)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY adding to
Article – Election Law
Section 13–504.1
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–104(a)
Annotated Code of Maryland
(2014 Volume and 2018 Supplement)

BY adding to
Article – General Provisions
Section 5–869 through 5–871 to be under the new part "Part XI. Special Provisions for Anne Arundel County"
Annotated Code of Maryland
(2014 Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 733 – Senators Zucker, Guzzone, Lam, and Nathan–Pulliam**

AN ACT concerning

**State Board of Physicians – Registered Cardiovascular Invasive Specialists**

FOR the purpose of authorizing a licensed physician, under certain circumstances and in accordance with certain regulations, to delegate certain duties to a registered cardiovascular invasive specialist assisting in the physician's performance of a fluoroscopy; establishing that the hospital in which a certain laboratory is located and the physician delegating the acts are responsible for ensuring that certain requirements are met; authorizing the State Board of Physicians to impose a certain civil penalty for each instance of a hospital's failure to comply with certain requirements; defining "registered cardiovascular invasive specialist"; requiring the Maryland Health Care Commission to conduct a certain review, work with the Maryland Hospital Association to gather certain information, and submit its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to registered cardiovascular invasive specialists.

BY renumbering
Article – Health Occupations
Section 14–101(p)
to be Section 14–101(q)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health Occupations
Section 14–101(p)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–306
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 830 – Senator Elfreth**

AN ACT concerning

**Natural Resources – Fishery Management Plans – Oysters**

FOR the purpose of requiring the Department of Natural Resources to convene the Oyster Advisory Commission, in coordination with the University of Maryland Center for

Environmental Science, on or before a certain date; providing for the membership of the Commission; requiring certain persons to provide information to the Commission under certain circumstances but prohibiting certain persons from participating as voting members; establishing certain requirements for the fishery management plan for oysters; requiring the Department ~~of Natural Resources~~, in coordination with the University of Maryland Center for Environmental ~~Science, to convene a certain stakeholder workgroup~~ Science and the Commission, to develop a certain package of consensus recommendations for enhancing and implementing the fishery management plan for oysters; ~~providing for the membership of the stakeholder workgroup;~~ requiring the ~~stakeholder workgroup~~ Commission, with certain assistance, to develop certain recommendations based on a certain process, ~~review certain oyster management actions and~~ recommend certain oyster management actions to achieve certain goals, and review certain results for certain oyster management actions; prohibiting the Department from using certain funds for a certain purpose; authorizing the Commission to meet and deliberate in closed session for a certain purpose, notwithstanding a certain provision of law; requiring the Department to submit certain interim reports and a final report by certain dates to the Governor and General Assembly; requiring the Department to perform certain reviews of the oyster stock and, with certain input, implement certain management actions; providing for the termination of the terms of certain members of the Commission; requiring the Secretary of Natural Resources to convene the Commission in a certain manner; requiring the Department to implement a certain Fishery Management Plan for Oysters subject to certain requirements; and generally relating to a fishery management plan for oysters.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–204(c) and 4–215(e)(4)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–215(b)(6)
Annotated Code of Maryland
(2018 Replacement Volume)

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 4–215(e)(4)~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume)~~

BY adding to
Article – Natural Resources
Section 4–215(e)(5)
Annotated Code of Maryland

(2018 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 908 – Calvert County Senators**

AN ACT concerning

**Calvert County – State's Attorney – Annual Salary**

FOR the purpose of altering the salary of the State's Attorney for Calvert County to be equal to the salary of a circuit court judge; providing for the application of this Act; and generally relating to the State's Attorney for Calvert County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–405
Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 957 – Calvert County Senators**

AN ACT concerning

**Calvert County – Office of the Sheriff – Correctional Deputies**

FOR the purpose of authorizing a certain sheriff to appoint certain correctional deputies; providing that certain correctional deputies serve under a certain sheriff; requiring certain correctional officers to complete certain training provided by a certain commission; providing that certain correctional deputies may become merit system employees under certain circumstances; providing that certain correctional deputies may be dismissed without cause under certain circumstances; making stylistic changes; 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 correctional deputies in Calvert County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(f)(2)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–318(a) and (b)

Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)
(As enacted by Chapter ____ (S.B. 206) of the Acts of the General Assembly of 2019)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–318(c)(1) and (2)(i), (ii), and (iii)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)
(As enacted by Chapter ____ (S.B. 206) of the Acts of the General Assembly of 2019)

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

## SPECIAL ORDER CALENDAR NO. 24

**House Bill 1183 – Delegates Hill, Bartlett, Cain, Carr, Clippinger, Crutchfield, Cullison, Ebersole, Feldmark, Haynes, Hettleman, Johnson, Kelly, R. Lewis, Luedtke, McIntosh, Qi, Shetty, Terrasa, and K. Young**

AN ACT concerning

**Public Health – Treatment for the Prevention of HIV – Consent by Minors**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

**HB1183/223928/1**
BY: Delegate Arikan

AMENDMENTS TO HOUSE BILL 1183
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "(HIV);" insert "requiring a licensed health care practitioner prescribing or administering to a certain minor treatment for the prevention of human immunodeficiency virus (HIV) to attempt to notify the minor's parent, guardian, or custodian or the spouse of a parent of a certain adverse reaction within a certain period of time under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 31, strike "minor, a" and substitute "**MINOR:**

**(1) A**".

On page 3, in line 2, after "abortion" insert "**; AND**

**(2) IF A MINOR HAS AN ADVERSE REACTION TO TREATMENT FOR THE PREVENTION OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) THAT IS LISTED IN THE MANUFACTURER'S PACKAGE INSERT SHEET FOR THE TREATMENT, INCLUDING A REACTION AFFECTING THE MINOR'S KIDNEY, BONES, OR LIVER, THE LICENSED HEALTH CARE PRACTITIONER PRESCRIBING OR ADMINISTERING THE TREATMENT SHALL ATTEMPT TO NOTIFY THE MINOR'S PARENT, GUARDIAN, OR CUSTODIAN OR THE SPOUSE OF THE PARENT OF THE ADVERSE REACTION IN WRITING WITHIN 24 HOURS AFTER THE ADVERSE REACTION OCCURS**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 35 Negative – 101 (See Roll Call No. 464)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 25

**House Bill 1206 – Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke, Palakovich Carr, Patterson, and Rose**

AN ACT concerning

**Maryland Longitudinal Data System Center – Data Matching**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 23

**House Bill 433 – Delegates Fraser–Hidalgo, Pena–Melnyk, Atterbeary, Barve, Korman, Shetty, and Wilkins**

AN ACT concerning

**Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility**
**(Freedom to Serve Act)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 465)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 36

**House Bill 270 – Delegates Korman, Boyce, Healey, Hettleman, Ivey, Jalisi, Kelly, R. Lewis, Love, Luedtke, Moon, Palakovich Carr, Pena–Melnyk, Pendergrass, Reznik, Shetty, Solomon, Stewart, Terrasa, and Valderrama**

AN ACT concerning

**Higher Education – Collective Bargaining – Graduate Assistants**
**(Graduate Assistant Collective Bargaining Fairness Act)**

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

Affirmative – 94 Negative – 42 (See Roll Call No. 466)

The Bill was then sent to the Senate.

**House Bill 274 – Delegates Barron and Dumais**

AN ACT concerning

**Justice Reinvestment Act – Diminution Credits – Sentencing**

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

Affirmative – 92 Negative – 46 (See Roll Call No. 467)

The Bill was then sent to the Senate.

**House Bill 607 – Delegates McIntosh and Busch**

AN ACT concerning

**Maryland Trauma Fund – State Primary Adult Resource Center – Reimbursement of On–Call and Standby Costs**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 468)

The Bill was then sent to the Senate.

**House Bill 862 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Police Retirement System – Employment of Retirees – Clarifications**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 469)

The Bill was then sent to the Senate.

**House Bill 863 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Workers' Compensation Offset**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the Senate.

**House Bill 951 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**Security Systems Technicians – Sunset Extension**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 471)

The Bill was then sent to the Senate.

**House Bill 952 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Cosmetologists – Sunset Extension**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 472)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 43**

**House Bill 672 – Delegates Valentino–Smith, P. Young, D. Barnes, Barron, Brooks, Hettleman, Holmes, Jackson, Krimm, Pena–Melnyk, R. Watson, ~~and Wilson~~ Wilson, Attar, Boyce, Cassilly, Ciliberti, Fraser–Hidalgo, Harrison, Healey, Jalisi, Lehman, Love, Stewart, and Wells**

AN ACT concerning

**Housing – Local Housing Grant Program for Homeless Veterans and Survivors of Domestic Violence**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 473)

The Bill was then sent to the Senate.

**House Bill 861 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Unused Sick Leave**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 474)

The Bill was then sent to the Senate.

**House Bill 898 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Kipke, Krebs, Lisanti, Reilly, Szeliga, Terrasa, and Turner**

AN ACT concerning

**Trusts – Maryland Trust Act – Methods of Notice**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the Senate.

**House Bill 968 – Delegates W. Fisher, J. Lewis, Crosby, Crutchfield, D.E. Davis, M. Fisher, Jackson, Kelly, Malone, Moon, Turner, and Valentino–Smith**

AN ACT concerning

**Criminal Injuries Compensation Board – Compensation to Claimants**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the Senate.

**House Bill 1008 – Delegates Arentz, Ghrist, Jacobs, and Miller**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Valuation of Easement**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the Senate.

**House Bill 1037 – Delegate Fraser–Hidalgo**

AN ACT concerning

**Condominiums and Homeowners Associations – Meeting Requirements**

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

Affirmative – 136 Negative – 3 (See Roll Call No. 478)

The Bill was then sent to the Senate.

**House Bill 1096** – **Delegates Hettleman, Atterbeary, Barron, Buckel, Cain, Cardin, Charkoudian, Conaway, Dumais, W. Fisher, Gilchrist, Guyton, Healey, Ivey, Kelly, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Queen, Reznik, Shetty, Solomon, Sydnor, Terrasa, Valderrama, Valentino–Smith, C. Watson, ~~and Wilkins~~ Wilkins, Palakovich Carr, Lopez, Grammer, Bartlett, Crutchfield, McComas, Pippy, Arikan, Cox, Anderson, Hartman, and Malone**

AN ACT concerning

**Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 479)

The Bill was then sent to the Senate.

**House Bill 1212** – **Delegates McComas, Arikan, Buckel, Clark, Corderman, Grammer, Hartman, Hettleman, Hornberger, Kittleman, Krebs, Malone, Saab, and Shoemaker**

AN ACT concerning

**Family Law – Kinship Caregivers**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 480)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 44

**House Bill 355** – **Delegates Patterson, Luedtke, D. Barnes, Barron, Ebersole, Fennell, Hill, Hornberger, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

AN ACT concerning

**Public Ethics Law – School Boards – Disclosures and Requirements (School System Ethics and Transparency Act of 2019)**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the Senate.

**House Bill 380 – Delegate Walker**

AN ACT concerning

**Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 482)

The Bill was then sent to the Senate.

**House Bill 403 – Delegates Ebersole and P. Young**

AN ACT concerning

**Income Tax Credit – Qualified Farms – Food Donation Pilot Program – Expansion and Extension**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 483)

The Bill was then sent to the Senate.

**House Bill 423 – Delegates Kelly, Barve, Boyce, Chang, Ivey, Korman, R. Lewis, Lierman, Moon, Palakovich Carr, Qi, Reznik, Shetty, and Wilkins**

AN ACT concerning

**Election Law – Voter Registration Drive – High Schools**

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

Affirmative – 100 Negative – 39 (See Roll Call No. 484)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 40

**House Bill 728 – Delegates Beitzel, Buckel, Hornberger, Kittleman, Krebs, McComas, Shoemaker, ~~and Szeliga~~ Szeliga, Ciliberti, and Otto**

AN ACT concerning

**State Parks and Forests – Hunting – Use of Off–Road Vehicles**

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

Affirmative – 111 Negative – 27 (See Roll Call No. 485)

The Bill was then sent to the Senate.

**House Bill 753 – Delegate Holmes**

AN ACT concerning

**Real Property – Ground Leases – Past Due Ground Rent**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 486)

The Bill was then sent to the Senate.

**House Bill 773 – Delegates P. Young, Bartlett, Brooks, Carey, Chang, Charkoudian, Corderman, Crosby, Ebersole, W. Fisher, Gaines, Hornberger, Jalisi, Johnson, Krimm, Mautz, Patterson, Rogers, Sample–Hughes, Solomon, Stein, and Valentino–Smith**

AN ACT concerning

**Vehicle Registration – Special Plates for ~~Honorably Discharged~~ Veterans – Fees**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 487)

The Bill was then sent to the Senate.

**House Bill 841 – Delegates Clark and Morgan**

AN ACT concerning

**Aquaculture – Submerged Aquatic Vegetation – Placement of Shellfish, Bags, Nets, and Structures**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 488)

The Bill was then sent to the Senate.

**House Bill 874 – Delegates Barron, Sydnor, Branch, Brooks, Cardin, Fennell, Hettleman, Jackson, Moon, Sample–Hughes, and Valentino–Smith**

AN ACT concerning

**Criminal Procedure – Postconviction Review – State's Motion to Vacate**

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

Affirmative – 98 Negative – 41 (See Roll Call No. 489)

The Bill was then sent to the Senate.

## JUDICIARY COMMITTEE REPORT NO. 9

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 606 – Delegates Clippinger, R. Lewis, and Lierman**

AN ACT concerning

**Juvenile Justice Reform Council**

**HB0606/232710/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 606
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "in" in line 3 down through "Prevention" in line 4; and strike beginning with "a" in line 8 down through "date" in line 9 and substitute "certain dates".

AMENDMENT NO. 2

On page 1, strike beginning with "in" in line 13 down through "Prevention" in line 14.

On page 2, in line 21, strike "Governor's Office of Crime Control and Prevention" and substitute "Department of Legislative Services".

AMENDMENT NO. 3

On page 3, in line 16, after "(h)" insert "(1) On or before December 1, 2019, the Council shall submit an interim report on its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(2)";

and in the same line, strike "report" and substitute "submit a final report on".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 640 – Delegates Atterbeary and Dumais**

AN ACT concerning

**Peace Orders – Workplace Violence**

**HB0640/592816/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 640
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Dumais" and substitute ", Dumais, J. Lewis, Sydnor, Moon, Cardin, Grammer, Bartlett, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty, W. Fisher, and Cox"; and in line 8, after "circumstances;" insert "prohibiting an employer from retaliating against an employee under certain circumstances;".

AMENDMENT NO. 2

On page 4, in line 28, after "**(E)**" insert "**(1)**"; and after line 30, insert:

"**(2) AN EMPLOYER MAY NOT RETALIATE AGAINST AN EMPLOYEE WHO DOES NOT PROVIDE INFORMATION FOR OR TESTIFY AT A PROCEEDING UNDER THIS SUBTITLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 871 – Delegates Pippy, Atterbeary, Cain, Cardin, Chang, Cox, Crutchfield, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Mosby, Shetty, Sydnor, R. Watson, and Wilkins**

AN ACT concerning

**Criminal Law – Human Trafficking and Prostitution Offenses**

**HB0871/432917/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 871
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Atterbeary, Cain," and substitute "Cain, Atterbeary,"; in the same line, strike "and Wilkins" and substitute "Wilkins, Grammer,

Bartlett, McComas, Hartman, Arikan, and Malone"; and in line 15, after "prostitution;" insert "classifying a certain offense of human trafficking as a crime of violence under certain provisions of law;".

On page 2, in line 9, strike "14–101(a)(24) and (25)" and substitute "14–101(a)"; and in line 38, after "2–412(c)(11)" insert "and 5–101(c)".

AMENDMENT NO. 2

On page 9, strike in their entirety lines 27 through 30, inclusive, and substitute:

"(1) abduction;

(2) arson in the first degree;

(3) kidnapping;

(4) manslaughter, except involuntary manslaughter;

(5) mayhem;

(6) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code;

(7) murder;

(8) rape;

(9) robbery under § 3–402 or § 3–403 of this article;

(10) carjacking;

(11) armed carjacking;

(12) sexual offense in the first degree;

(13) sexual offense in the second degree;

(14) use of a firearm in the commission of a felony except possession with intent to distribute a controlled dangerous substance under § 5–602(2) of this article, or other crime of violence;

(15) child abuse in the first degree under § 3–601 of this article;

(16) sexual abuse of a minor under § 3–602 of this article if:

(i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and

(ii) the offense involved:

1. vaginal intercourse, as defined in § 3–301 of this article;

2. a sexual act, as defined in § 3–301 of this article;

3. an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or

4. the intentional touching of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse;

(17) home invasion under § 6–202(b) of this article;

(18) **FELONY HUMAN TRAFFICKING UNDER TITLE 3, SUBTITLE 11 OF THIS ARTICLE;**

**(19)** an attempt to commit any of the crimes described in items (1) through **[**(17)**] (18)** of this subsection;

**[**(19)**](20)** continuing course of conduct with a child under § 3–315 of this article;

**[**(20)**](21)** assault in the first degree;

**[**(21)**](22)** assault with intent to murder;

**[**(22)**](23)** assault with intent to rape;

**[**(23)**](24)** assault with intent to rob;

**[**(24)**](25)** assault with intent to commit a sexual offense in the first degree; and

**[**(25)**](26)** assault with intent to commit a sexual offense in the second degree.".

On page 14, after line 5, insert:

"5–101.

(c) "Crime of violence" means:

(1) abduction;

(2) arson in the first degree;

(3) assault in the first or second degree;

(4) burglary in the first, second, or third degree;

(5) carjacking and armed carjacking;

(6) escape in the first degree;

(7) kidnapping;

(8) voluntary manslaughter;

(9) maiming as previously proscribed under former Article 27, § 386 of the Code;

(10) mayhem as previously proscribed under former Article 27, § 384 of the Code;

(11) murder in the first or second degree;

(12) rape in the first or second degree;

(13) robbery;

(14) robbery with a dangerous weapon;

(15) sexual offense in the first, second, or third degree;

(16) home invasion under § 6–202(b) of the Criminal Law Article;

(17) **FELONY HUMAN TRAFFICKING UNDER TITLE 3, SUBTITLE 11 OF THE CRIMINAL LAW ARTICLE;**

**(18)** an attempt to commit any of the crimes listed in items (1) through **[**(16)**](17)** of this subsection; or

**[**(18)**](19)** assault with intent to commit any of the crimes listed in items (1) through **[**(16)**](17)** of this subsection or a crime punishable by imprisonment for more than 1 year.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 10

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 552 – Delegate Malone**

AN ACT concerning

**Interception of Oral Communication – Law Enforcement Officer**

**HB0552/682011/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 552

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "recording" insert "under certain circumstances".

AMENDMENT NO. 2

On page 2, in line 34, after "**RECORDING**" insert "**IF THE FAILURE TO NOTIFY INVOLVED AN INDIVIDUAL WHO JOINED A DISCUSSION IN PROGRESS FOR WHICH PROPER NOTIFICATION WAS PREVIOUSLY GIVEN**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 726** – **Delegates Dumais and Malone**

AN ACT concerning

**Child Support – Potential Income, Voluntary Impoverishment, and No Support Order**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 732** – **Delegates Dumais and Malone**

AN ACT concerning

**Child Support Guidelines – Revision**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 827 – Delegates Lierman, Attar, Atterbeary, Cain, Chang, W. Fisher, Hettleman, Kelly, Korman, Lopez, Love, Mosby, Sample–Hughes, and Solomon**

AN ACT concerning

**Juvenile Law – Sex Trafficking – Immunity, Services, and Investigations (Child Sex Trafficking Screening and Services Act of 2019)**

**HB0827/592618/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 827
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Solomon" and substitute "Solomon, J. Lewis, Moon, Cardin, Grammer, Crutchfield, McComas, Pippy, Arikan, Shetty, and Cox"; in line 2, strike "Juvenile Law" and substitute "Child Abuse and Neglect"; in the same line, strike "Immunity, Services," and substitute "Services"; strike beginning with "declaring" in line 6 down through "conduct;" in line 7; strike beginning with "requiring" in line 10 down through "trafficking" in line 14 and substitute "establishing the Safe Harbor Regional Navigator Grant Program; specifying the purpose of the program; specifying certain grantees under the program; requiring grants to be awarded in a certain manner; specifying the services coordinated and provided by a grantee"; strike beginning with "requiring" in line 21 down through "agreement;" in line 22; strike beginning with "prohibiting" in line 23 down through "act;" in line 25; and in line 29, strike "and 5–809".

On page 2, strike in their entirety lines 3 through 12, inclusive; in line 15, strike "5–701(v),"; in the same line, strike the second comma; after line 17, insert:

"BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–706(c), (d), (f), and (h)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)";

and strike line 20 in its entirety and substitute "Section 5–706(g)".

AMENDMENT NO. 2

On page 2, in line 31, strike the second "**THE**" and substitute "**ANY APPROPRIATE**"; and in line 32, strike "**§ 5–701**" and substitute "**§ 5–704.4**".

On page 6, in line 13, strike the second "**THE**" and substitute "**ANY APPROPRIATE**"; and in the same line, after "**NAVIGATOR**" insert "**, AS DEFINED IN § 5–704.4 OF THIS SUBTITLE,**".

AMENDMENT NO. 3

On pages 2 through 6, strike in their entirety the lines beginning with line 35 on page 2 through line 9 on page 6, inclusive, and substitute:

"Article – Family Law".

On page 9, strike in their entirety lines 29 through 32, inclusive.

AMENDMENT NO. 4

On page 6, in line 17, after "**(A)**" insert "**(1)**"; and strike beginning with the comma in line 17 down through "**TRAFFICKING**" in line 25 and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "CHILD ADVOCACY CENTER" HAS THE MEANING STATED IN § 13–2201 OF THE HEALTH – GENERAL ARTICLE.**

**(3) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.**

**(4) "QUALIFIED COMMUNITY–BASED VICTIM SERVICES PROVIDER" MEANS A NONPROFIT ORGANIZATION WITH:**

**(I) DEMONSTRATED EXPERTISE PROVIDING DIRECT SERVICES TO VICTIMS OF SEX TRAFFICKING OR SEXUALLY EXPLOITED YOUTH;**

**(II) THE CAPACITY TO PROVIDE VICTIM–CENTERED, TRAUMA–INFORMED CASE MANAGEMENT FOR YOUTH VICTIMS OF SEX TRAFFICKING;**

**(III) A DEMONSTRATED HISTORY OF WORKING IN THE COMMUNITY WHERE SERVICES WILL BE PROVIDED; AND**

**(IV) THE ABILITY TO COLLABORATE WITH OTHER AGENCIES, INCLUDING LAW ENFORCEMENT, SEXUAL ASSAULT CRISIS PROGRAMS, CHILD ADVOCACY CENTERS, AND OTHER DIRECT SERVICES PROVIDERS.**

**(5) "REGIONAL NAVIGATOR" MEANS A PROVIDER OF SERVICES DESIGNATED BY A GRANTEE OF THE SAFE HARBOR REGIONAL NAVIGATOR GRANT PROGRAM ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.**

**(6) "SEX TRAFFICKING" HAS THE MEANING STATED IN § 5–701 OF THIS SUBTITLE.**

**(7) "SEXUAL ASSAULT CRISIS PROGRAM" MEANS A PROGRAM CERTIFIED BY THE FEDERALLY RECOGNIZED STATE SEXUAL ASSAULT COALITION.**

**(8) "YOUTH" MEANS AN INDIVIDUAL UNDER THE AGE OF 24 YEARS.**

**(B) (1) THERE IS A SAFE HARBOR REGIONAL NAVIGATOR GRANT PROGRAM.**

**(2) THE PURPOSE OF THE PROGRAM IS TO SUPPORT SERVICES FOR YOUTH VICTIMS OF SEX TRAFFICKING BY:**

**(I) CREATING AND SUSTAINING PROJECTS TO PROVIDE SERVICES FOR YOUTH VICTIMS OF SEX TRAFFICKING THAT ARE VICTIM–CENTERED AND TRAUMA–INFORMED;**

**(II) FACILITATING AND COORDINATING AMONG LOCAL DEPARTMENTS, THE DEPARTMENT OF JUVENILE SERVICES, SEXUAL ASSAULT CRISIS PROGRAMS, CHILD ADVOCACY PROGRAMS, LOCAL OFFICES OF THE OFFICE OF THE PUBLIC DEFENDER, AND OTHER STATE AND LOCAL AGENCIES RESPONDING TO YOUTH VICTIMS OF SEX TRAFFICKING;**

**(III) ENSURING THAT YOUTH VICTIMS OF SEX TRAFFICKING HAVE ACCESS TO SERVICES DESCRIBED UNDER SUBSECTION (E) OF THIS SECTION;**

**(IV) INCREASING THE STATE'S CAPACITY TO RESPOND TO YOUTH SEX TRAFFICKING; AND**

**(V) TRAINING PROVIDERS TO APPROPRIATELY IDENTIFY AND SERVE YOUTH VICTIMS OF SEX TRAFFICKING.**

**(C) A GRANTEE UNDER THE PROGRAM MAY INCLUDE:**

**(1) A CHILD ADVOCACY CENTER;**

**(2) A SEXUAL ASSAULT CRISIS PROGRAM; OR**

**(3) A QUALIFIED COMMUNITY–BASED VICTIM SERVICES PROVIDER.**

**(D) GRANTS UNDER THIS SECTION SHALL BE AWARDED:**

**(1) TO ENSURE THAT EMERGENCY AND LONG–TERM SERVICES ARE AVAILABLE FOR YOUTH VICTIMS OF SEX TRAFFICKING IN EVERY JURISDICTION IN THE STATE BY JANUARY 1, 2022; AND**

**(2) TO PROVIDE SERVICES IN ONE JURISDICTION OR IN MORE THAN ONE SIMILAR JURISDICTION IN THE SAME REGION**".

On page 6, in line 26, strike "**(C)**" and substitute "**(E)**"; and in the same line, strike "**REGIONAL NAVIGATOR**" and substitute "**GRANTEE UNDER THIS SECTION**".

On page 7, in line 4, strike the second "**AND**"; in line 5, after "**SERVICES**" insert "**;**

**(7) VICTIM ADVOCACY;**

**(8) CASE MANAGEMENT; AND**

**(9) DESIGNATION OF REGIONAL NAVIGATORS**";

in line 7, strike "**(F)**" and substitute "**(H)**"; in line 9, strike "**REGIONAL NAVIGATORS UNDER THIS SECTION**" and substitute "**THE SAFE HARBOR REGIONAL NAVIGATOR GRANT PROGRAM**"; in lines 6, 10, 27, and 29, strike "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively; in lines 14 and 15, strike "**REGIONAL NAVIGATORS**" and substitute "**GRANTEES**"; and in line 16, after "**CHILDREN**" insert "**AND YOUTH**".

AMENDMENT NO. 5

On page 9, strike beginning with "**THE**" in line 2 down through "**SERVICES,**" in line 3.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 839 – Delegates Haynes, Acevero, Chang, Corderman, Jackson, and McKay**

AN ACT concerning

**Division of Parole and Probation – Central Home Detention Unit – Powers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## CONCURRENCE CALENDAR NO. 1
## HOUSE BILLS AMENDED IN THE SENATE

### AMENDED IN THE SENATE

**House Bill 336 – Delegates Feldmark, Acevero, Attar, Atterbeary, Bagnall, Bartlett, Barve, Bhandari, Boyce, Branch, Bridges, Brooks, Busch, Cain, Cardin, Carey, Chang, Charkoudian, Charles, Clippinger, Conaway, Crosby, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Fennell, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Guyton, Harrison, Healey, Hettleman, Hill, Jackson, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lopez,**

**Love, Luedtke, McIntosh, Moon, Mosby, PalakovichCarr, Patterson, Pena–Melnyk, Pendergrass, Qi, Queen, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Walker, C. Watson, R. Watson, Wells, Wilkins, Wilson, ~~and K. Young~~ K. Young, Lisanti, and P. Young**

EMERGENCY BILL

AN ACT concerning

**~~Unemployment Insurance –~~ Civilian Federal Employees – Unemployment Insurance Benefits and Federal Government Shutdown Employee Assistance Loan Fund**
**(Federal Shutdown Paycheck Protection Act)**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0336/597779/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 336
(Third Reading File Bill)

On page 9, in line 21, strike "3" and substitute "4".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 110 Negative – 27 (See Roll Call No. 490)

**MESSAGE FROM THE SENATE**
**INTRODUCTORY SENATE BILLS NO. 30**

**Senate Bill 280 – Senators McCray, Beidle, Benson, Carter, Ellis, Feldman, Guzzone, Hayes, Kagan, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Augustine**

AN ACT concerning

**Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~**
**(Fight for Fifteen)**

FOR the purpose of specifying the State minimum wage rate that is in effect for certain time periods and for certain employers except under certain circumstances; ~~increasing, except under certain circumstances, the State minimum wage rate in effect for certain periods of time based on annual growth in a certain consumer price index; requiring the Commissioner of Labor and Industry, beginning at a certain time, to annually determine and announce the growth in the consumer price index, if any, and the new State minimum wage rate;~~ repealing and altering certain provisions of law that authorize certain employers to pay certain employees a certain wage that is less than the State minimum wage under certain circumstances; ~~specifying the tip credit amount that is in effect for certain time periods; prohibiting an employer, beginning on a certain date, from including a tip credit amount as part of the wage of certain employees; repealing the exemption from the Maryland Wage and Hour Law for certain individuals; requiring that a certain summary certain employers are required to keep conspicuously posted in certain places of employment include certain antiretaliation provisions; prohibiting certain employers from taking certain actions under the Maryland Wage Payment and Collection Law; prohibiting certain employers from discriminating against certain employees under certain circumstances; altering the conditions under which certain employers are prohibited from taking adverse actions against certain employees under certain circumstances; altering the list of acts that constitute adverse action under a certain provision of law; requiring that the burden of proof as proved by clear and convincing evidence under certain actions be on the defendant based on certain actions under certain circumstances; repealing certain provisions of law that prohibit certain employees from taking certain actions regarding making certain complaints or bringing or testifying in certain actions or proceedings; authorizing the Commissioner to conduct an investigation under the Maryland Wage and Hour Law on the Commissioner's own initiative or on receipt of a certain complaint; authorizing the Commissioner to conduct an investigation under the Maryland Wage Payment and Collection Law on the Commissioner's own initiative; requiring that certain names be kept confidential except under certain circumstances; authorizing a certain employee to bring an action against an employer for a violation of certain provisions of this Act; authorizing the Commissioner to take certain actions relating to a certain claim by an employee under certain circumstances; specifying the time period for filing a certain action and the scope of a certain action; providing that a certain limitation period does not apply during a certain investigation; requiring a court to allow against a certain employer reasonable counsel fees and costs in a certain action; establishing certain penalties against certain employers; authorizing the Commissioner or a court to order certain civil penalties or certain relief under certain circumstances; requiring that certain civil penalties be paid to the General Fund for certain purposes; providing that certain enforcement provisions, civil penalties, and remedies apply to violations of certain provisions of this Act in the same manner as certain other violations; requiring an employer, beginning at a certain time, to pay certain employees a wage that is at least equal to the State minimum wage rate~~ requiring the Board of Public Works to make a certain determination on or before certain dates, subject to a certain exception and a certain limitation; authorizing the Board to consider certain other information under certain circumstances when

making a certain determination; authorizing the Board to temporarily suspend an increase in the minimum wage rate for a certain period of time under certain circumstances, subject to a certain limitation; specifying the minimum wage rate in effect for a certain period if the Board temporarily suspends an increase to the minimum wage rate; requiring certain minimum wage rates to take effect at a certain time; requiring the Board to notify the Commissioner of Labor and Industry if the Board has temporarily suspended a certain increase in the minimum wage rate; prohibiting a rate increase for certain providers from going into effect if the Board has temporarily suspended a certain increase in the minimum wage rate; requiring the Commissioner to adopt certain regulations; requiring the Commissioner to provide a certain notification on a certain website; requiring the Governor, in certain fiscal years, to include in a certain budget proposal certain funding to reimburse community service providers; requiring that the Governor's proposed budget for certain fiscal years include certain rate increases for certain providers over the funding provided in certain legislative appropriations; requiring that the Governor's proposed budget for fiscal year 2021 and each fiscal year thereafter for certain providers be presented in the same manner as in a certain fiscal year budget; making conforming changes; repealing obsolete provisions of law; defining certain terms; ~~altering a certain definition;~~ and generally relating to the payment of wages.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–307 and 16–201.3
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 16–201.4
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section ~~3–103, 3–403, 3–413, 3–419, 3–423, 3–428, and 3–508~~ 3–413
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY adding to
Article – Labor and Employment
Section 3–413.1 and 3–419(d)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 303 – Senator Kagan**

AN ACT concerning

**State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements**

FOR the purpose of requiring an applicant to have graduated from a certain program or its equivalent approved by certain entities to qualify for a license to practice acupuncture; ~~repealing~~ altering the authority of the State Acupuncture Board to find certain programs to be equivalent to ~~a certain course~~ certain courses for certain licensure requirements; altering certain definitions; providing for the application of this Act; and generally relating to the practice of acupuncture.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1A–101 and 1A–302
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 346 – Senators Ferguson, Elfreth, Ellis, Feldman, Guzzone, Kelley, Rosapepe, Smith, Washington, West, and Young**

AN ACT concerning

**Public Safety – Regulated Firearms – ~~Transfer~~ Sell, Rent, Transfer, or Loan**

FOR the purpose of ~~providing that, for certain purposes, the term "transfer" includes a loan other than a certain exchange of a regulated firearm between two individuals under certain circumstances~~ providing that a firearms dealer or other person may not loan a regulated firearm to a certain person under certain circumstances; providing that a dealer or other person may not sell, rent, transfer, or loan a regulated firearm to a certain person who the dealer or other person knows or has reason to believe intends to commit a certain crime or cause certain harm; providing that a person who is the recipient of a loan of a regulated firearm is not required to take a certain safety course; and generally relating to regulated firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~5–124~~ 5–134
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 389 – Senators Cassilly, Gallion, and Jennings**

AN ACT concerning

**Motor Vehicle Registration – Exception for Low Speed Electric Vehicles – City of Havre de Grace**

FOR the purpose of creating an exception to motor vehicle registration requirements under certain circumstances for low speed electric vehicles in the City of Havre de Grace that are owned and operated by the City of Havre de Grace; providing that a person who operates a low speed electric vehicle on a roadway in the City of Havre de Grace may operate the low speed electric vehicle only on certain roadways and, at certain times, only if the low speed electric vehicle is equipped with certain lighting devices; requiring a person who operates a low speed electric vehicle on a roadway in the City of Havre de Grace to keep as far to the right of the roadway as feasible and possess a valid driver's license; authorizing the State Highway Administration, in consultation with the City of Havre de Grace, to develop a location in the City of Havre de Grace where a person operating a low speed electric vehicle may cross over a certain roadway; defining a certain term; and generally relating to an exception to motor vehicle registration requirements for low speed electric vehicles in the City of Havre de Grace.

BY renumbering
Article – Transportation
Section 11–130.1
to be Section 11–130.2
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–101 and 13–402(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 11–130.1 and 21–104.5
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 460 – Senators Waldstreicher, Benson, Feldman, Kagan, King, Kramer, Lee, Peters, Smith, Young, and Zucker**

AN ACT concerning

**Pedestrian Safety Fund Act of 2019**

FOR the purpose of establishing the minimum fine that may be imposed for a violation of certain provisions of the Maryland Vehicle Law regarding crosswalks; establishing the Pedestrian Safety Fund as a special, nonlapsing fund; requiring the Secretary of Transportation to administer the Fund; requiring the State Treasurer to hold the Fund separately, 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 the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term; and generally relating to the Pedestrian Safety Fund.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)112. and 113.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)114.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–502
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 21–502.1

Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 621 – Senators Carter, Lee, ~~and Smith~~ Smith, Zirkin, Hester, Waldstreicher, Washington, West, and Ellis**

AN ACT concerning

**Correctional Services – Diminution Credits – Education**

FOR the purpose of awarding a one–time diminution credit to reduce the term of confinement of an inmate if the inmate successfully obtains a certain educational certificate, diploma, or degree; establishing ~~the range for~~ the diminution credit that may be ~~awarded;~~ awarded to certain inmates; ~~prohibiting inmates convicted of certain offenses from receiving certain diminution credits;~~ requiring the Commissioner of Correction to establish a uniform system of deductions and participation criteria for awarding a certain diminution credit; ~~requiring certain diminution credits to be awarded at a certain time;~~ establishing a certain exception to a certain maximum deduction that may be earned by an inmate; providing for the application of this Act; and generally relating to diminution credits.

BY adding to
Article – Correctional Services
Section 3–706.1
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–708
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 657 – Senators King and Smith**

AN ACT concerning

**Pilot Program – Alleged Rape, Sexual Offense, or Child Sexual Abuse – HIV Postexposure Prophylaxis**

FOR the purpose of establishing the Pilot Program for Preventing HIV Infection for Rape Victims; establishing the purpose of the pilot program; requiring the Governor's Office of Crime Control and Prevention to administer the pilot program; requiring

that a victim of an alleged rape or sexual offense or a victim of alleged child sexual abuse be provided with a full course of treatment and follow–up care for postexposure prophylaxis for the prevention of HIV infection at the request of the victim and as prescribed by a health care provider; authorizing a victim who receives treatment under a certain provision of this Act to decline to provide certain information under certain circumstances; requiring the physician, qualified health care provider, or hospital providing a victim with certain treatment to inform the victim of a certain right; requiring that the treatment and follow–up care be provided without charge to the victim under certain circumstances; providing that the physician, qualified health care provider, or hospital providing the treatment or follow–up care is entitled to be paid by the Criminal Injuries Compensation Board under certain circumstances; providing for a certain immunity for certain persons; requiring the Governor's Office of Crime Control and Prevention to report to the Governor and General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Pilot Program for Preventing HIV Infection for Rape Victims.

BY adding to
Article – Criminal Procedure
Section 11–1008
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 707 – Senator Ready**

AN ACT concerning

**Motor Vehicles – Temporary In–Transit Registration**

FOR the purpose of authorizing the Motor Vehicle Administration to issue a temporary in–transit registration that allows a nonresident owner of a vehicle to operate the vehicle on a highway in the State only for the purpose of transporting the vehicle to a jurisdiction outside the State for titling and registration; establishing that an application for a temporary in–transit registration may be made only by a nonresident vehicle owner and only on a certain form; authorizing the Administration to determine the period for which a temporary in–transit registration is valid; requiring the Administration to determine the fee to apply for a temporary in–transit registration; establishing that only licensed title service agents may issue temporary in–transit registrations; establishing that a temporary in–transit registration may be issued only after the vehicle owner has furnished to the title service agent proof of identity, vehicle ownership, and insurance; prohibiting a title service agent from issuing more than one temporary in–transit registration for any vehicle; requiring the Administration to adopt certain regulations; providing

for a delayed effective date; and generally relating to in–transit motor vehicle registration.

BY adding to
Article – Transportation
Section 13–405.1
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 770 – Senator Smith**

AN ACT concerning

**Vehicle Laws – Electric Low Speed Scooters**

FOR the purpose of establishing that an electric low speed scooter is considered to be a bicycle for the purposes of the Maryland Vehicle Law; defining the term "electric low speed scooter"; providing that an electric low speed scooter is not considered to be a motorized minibike, a motor scooter, or a motor vehicle for the purposes of the Maryland Vehicle Law; altering the defined term "scooter" by limiting the term to nonmotorized vehicles; establishing that the operator of an electric low speed scooter may ride by standing on a platform designed to carry the operator; and generally relating to electric low speed scooters.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)
(As enacted by Chapter 294 of the Acts of the General Assembly of 2014)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–134.4(b), 11–134.5(b), 11–135(b), 11–154.1, and 21–1203
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 11–117.2
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation

Section 21–1202
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 793 – Senator Hayes (By Request)**

AN ACT concerning

**Community Safety and Strengthening Act**

FOR the purpose of altering certain appropriations required to be made to a certain fund; requiring certain appropriations to be made to certain funds; providing that certain appropriations are in addition to certain other funding; establishing the Law Enforcement Apprenticeship Cadet Program in the Department of Labor, Licensing, and Regulation; specifying the purposes of the Cadet Program; requiring the Department of Labor, Licensing, and Regulation to administer the Cadet Program and award grants under the Cadet Program on a certain basis to certain law enforcement agencies; establishing the eligibility under the Cadet Program; requiring that the amount of a certain grant be based on the number of certain apprentices that are employed by the law enforcement agency; prohibiting the amount of a certain grant from exceeding a certain amount; requiring the Governor to include certain appropriations in the annual State budget for the Cadet Program; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; authorizing the Johns Hopkins University to establish a police department based on a certain memorandum of understanding under certain circumstances; requiring the memorandum of understanding to require that the Baltimore Police Department have certain responsibilities and take certain actions; providing that a certain University police officer has certain powers granted to a peace and police officer under certain circumstances; requiring the University to adopt certain standards, qualifications, and prerequisites under certain circumstances; requiring the University to ensure constitutional and community–oriented policing through the adoption of certain policies, practices, and training under certain circumstances; requiring the University to establish a certain process for the filing and investigation of certain complaints under certain circumstances; requiring the University to maintain a police department in which a certain percentage of the workforce are residents of Baltimore City under certain circumstances; requiring the University to employ not more than a certain number of employees within the police department under certain circumstances; requiring the University to host a certain number of job events, at certain sites in Baltimore City, at which individuals are interviewed for the police department workforce; requiring the University to seek certain accreditation under certain circumstances; requiring the University to require University police officers to wear body–worn cameras in a certain manner under certain circumstances; requiring the University to continue to make use of certain security personnel or building guards under certain circumstances; requiring the University to establish a University Police

Accountability Board under certain circumstances; specifying the purpose, composition, and authority of the Accountability Board; requiring the Accountability Board to hold certain meetings and post certain meeting minutes on a certain website; providing that the police department of the University is subject to the jurisdiction of the Civilian Review Board of Baltimore City under certain circumstances; requiring the police department of the University to establish a certain league under certain circumstances; requiring the University to report certain information in a certain manner under certain circumstances; providing that this Act may not be construed to affect certain rights of a certain employee to engage in certain collective bargaining; requiring the University to allow a person or a governmental unit to access certain information in a certain manner under certain circumstances; providing that the University, the police department, and the officers, employees, and agents of the University or police department are not entitled to certain immunities and may not raise a certain defense under certain circumstances; providing that no action may be maintained against the State under certain circumstances; requiring the Department of Legislative Services to conduct a certain evaluation on or before a certain date in a certain manner, under certain circumstances; requiring the Department of Legislative Services to prepare certain legislation under certain circumstances; requiring the Department of Legislative Services to issue a certain report relating to the modification or termination of certain provisions of this Act under certain circumstances; requiring a certain hearing board to include certain members under certain circumstances; providing that the terms "law enforcement officer", "police officer", and "law enforcement unit" include a member of the police department of the University for certain purposes; requiring the University to take certain actions before entering into a certain memorandum of understanding; requiring the University to provide certain notice in a certain manner; requiring the University to post a certain copy of an executed memorandum of understanding on a certain website under certain circumstances; declaring the intent of the General Assembly regarding funding of the East Baltimore Historical Library; requiring certain funds to be used in a certain manner; altering certain definitions; defining certain terms; providing for the construction of certain provisions of this Act; providing for the termination of certain provisions of this Act, under certain circumstances; and generally relating to community safety and enhancement.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–509(a), (b), and (c)
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–509(j)
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY adding to
Article – Human Services
Section 8–1201 to be under the new subtitle "Subtitle 12. Baltimore City Programs"
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY adding to
Article – Labor and Employment
Section 11–603
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–101(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(25) and (26)
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–101(c)(27)
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Education
Section 24–1201 through ~~24–1209~~ 24–1212 to be under the new subtitle "Subtitle 12. Police Department of the Johns Hopkins University"
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and (e)(1)(i), 3–107(a) and (c)(1) and (2), 3–201(a) and (f)(1)(i), and 3–212(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 3–101(e)(1)(ii)25. and 26. and (2)(ix) and (x), 3–107(c)(3), and 3–201(f)(1)(ii)21. and 22.
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Public Safety
Section 3–101(e)(1)(ii)27. and (2)(xi) and 3–201(f)(1)(ii)23.
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–41(a)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–41(g)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–42
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

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

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 491)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 41

**House Bill 332** – ~~**Delegate McKay**~~ **Delegates McKay, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Rosenberg, Sample–Hughes, and K. Young**

AN ACT concerning

**Maryland Department of Health – Community Dental Clinics Grant Program**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 492)

The Bill was then sent to the Senate.

**House Bill 424** – **Delegate Corderman**

AN ACT concerning

**Washington County – Disposition of Marriage Ceremony Fee**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 493)

The Bill was then sent to the Senate.

**House Bill 427** – **Delegates Barron, Hill, ~~and Kipke~~ Kipke, Pena–Melnyk, Cullison, Metzgar, Charles, Sample–Hughes, K. Young, Johnson, and Rosenberg**

AN ACT concerning

**Behavioral Health Administration – Outpatient Civil Commitment Pilot Program – ~~Statewide Expansion~~ Revisions**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 494)

The Bill was then sent to the Senate.

**House Bill 511** – **Delegate Cassilly**

AN ACT concerning

**Maryland Commercial Fertilizer Law – Definition of Soil Conditioner – Alteration**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 495)

The Bill was then sent to the Senate.

**House Bill 528 – Delegates Smith, Attar, Boyce, Bridges, Conaway, Glenn, R. Lewis, Lierman, Mosby, and Wells**

AN ACT concerning

**Baltimore City – Police Districts – Redistricting**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 496)

The Bill was then sent to the Senate.

**House Bill 539 – ~~Delegate Cassilly~~ Delegates Cassilly and Wivell**

AN ACT concerning

**Environment – Reuse of Water Diverted From Septic Systems**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 497)

The Bill was then sent to the Senate.

**House Bill 562 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Sale of Residential Real Property – Septic Systems Outreach Toolkit**

**MC 16–19**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 498)

The Bill was then sent to the Senate.

## WAYS AND MEANS COMMITTEE REPORT NO. 6

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 460 – Harford County Delegation**

AN ACT concerning

**Harford County Board of Education – Elected Members – Start Date of Term**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 465 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 564 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Gaming – Bingo Games**

**MC 1–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1135** – **Delegates Shoemaker and Rose**

AN ACT concerning

**Carroll County – Gaming – Home Games – Bingo**

**HB1135/235862/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1135
(First Reading File Bill)

On page 2, in line 17, strike "**OF BINGO IS ALLOWED**" and substitute "**AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION MAY INCLUDE BINGO**"; and in the same line, after "**IF**" insert "**IT IS**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1186** – **Delegate Ebersole**

AN ACT concerning

**Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1259** – **Delegate Ebersole**

AN ACT concerning

**Education – Collective Bargaining for Noncertificated Employees – Supervisory Employees and Management Personnel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 9

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

**House Bill 1302 – Delegate Cardin**

AN ACT concerning

**Abandoned Property in Possession of a Museum**

The Bill was re–referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

**House Bill 1409 – Howard County Delegation**

AN ACT concerning

**Howard County – School Facilities Surcharge – Rates**

**Ho. Co. 03–19**

The Bill was re–referred to the Committee on Appropriations.

## QUORUM CALL

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

(See Roll Call No. 499)

## ADJOURNMENT

At 6:47 P.M. on motion of Delegate Dumais the House adjourned until 12:30 P.M. on Legislative Day March 12, 2019, Calendar Day, Friday, March 15, 2019.

**Annapolis, Maryland**
**Legislative Day: March 12, 2019**
**Calendar Day: Friday, March 15, 2019**
**12:30 P.M. Session**

The House met at 12:54 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Ric Metzgar of Baltimore County.

## QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 500)

EXCUSED:
Del. Anderson – left early – illness
Del. Bridges – funeral
Del. Reznik – funeral
Del. P. Young – personal

The Journal of March 14, 2019 was read and approved.

## QUORUM CALL

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

(See Roll Call No. 501)

## CALENDAR OF THIRD READING SENATE BILLS NO. 4

**Senate Bill 391 – Senators Feldman, Klausmeier, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hayes, Hester, Kagan, Kelley, King, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker**

EMERGENCY BILL

AN ACT concerning

**~~Unemployment Insurance –~~ Civilian Federal Employees – Unemployment Insurance Benefits and Federal Government Shutdown Employee Assistance Loan Fund**
**(Federal Shutdown Paycheck Protection Act)**

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

Affirmative – 111 Negative – 27 (See Roll Call No. 502)

The Bill was then returned to the Senate.

**Senate Bill 425 – Senators Benson, Feldman, Guzzone, Klausmeier, Kramer, Lee, Nathan–Pulliam, Rosapepe, Simonaire, Washington, and Young**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 503)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 57**

**House Bill 465 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 504)

The Bill was then sent to the Senate.

**House Bill 599 – ~~Delegate Kelly~~ Delegates Kelly and Hill**

AN ACT concerning

**Health Insurance – Coverage for Mental Health Benefits and Substance Use Disorder Benefits – ~~Requirements and Reports~~ Treatment Criteria**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 505)

The Bill was then sent to the Senate.

**House Bill 697** – **Delegates Pendergrass, Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, Barve, Boyce, Branch, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Clippinger, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Queen, Reznik, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Health Insurance – Consumer Protections and Maryland Health Insurance Coverage Protection Commission**

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

Affirmative – 131 Negative – 6 (See Roll Call No. 506)

The Bill was then sent to the Senate.

**House Bill 700** – **Washington County Delegation**

AN ACT concerning

**Washington County – Code of Public Local Laws – Legalization**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 507)

The Bill was then sent to the Senate.

**House Bill 1113** – **Delegates Hettleman and Busch**

AN ACT concerning

**State Government – Office of Program Evaluation and Government Accountability and Maryland Program Evaluation Act**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 508)

The Bill was then sent to the Senate.

**House Bill 1186 – Delegate Ebersole**

AN ACT concerning

**Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code**

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

Affirmative – 112 Negative – 26 (See Roll Call No. 509)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 48**

**House Bill 92 – Delegate Dumais**

AN ACT concerning

**Public Safety – Handgun Permits – Payment of Fees**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 510)

The Bill was then sent to the Senate.

**House Bill 113 – Delegates Moon, Hornberger, Atterbeary, Barron, Charkoudian, Kittleman, J. Lewis, Lierman, Luedtke, Palakovich Carr, Sydnor, Washington, and Wilkins**

AN ACT concerning

**Criminal Law – Gaming – Civil Offense**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 511)

The Bill was then sent to the Senate.

**House Bill 132 – Delegates Reznik, Acevero, Bagnall, Barve, Beitzel, Bhandari, Boyce, Buckel, Crutchfield, Ebersole, Gaines, Haynes, Jones, Kipke, R. Lewis, Lierman, McKay, Pena–Melnyk, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Washington, and Palakovich Carr**

AN ACT concerning

**Education – Robotics Grant Program – Alterations**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 512)

The Bill was then sent to the Senate.

**House Bill 748 – Delegate Fraser–Hidalgo**

AN ACT concerning

**Vehicle Laws – Electric Low Speed Scooters**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 513)

The Bill was then sent to the Senate.

**House Bill 777 – Delegates Howard, Beitzel, Branch, Buckel, Carey, Charkoudian, Chisholm, Ciliberti, Corderman, Fennell, Hill, Lisanti, Malone, McComas, McKay, Qi, Rose, Saab, Valderrama, ~~and Wilson~~ Wilson, Boteler, and R. Lewis**

AN ACT concerning

**Commercial Law – Credit Card Processors – ~~Service~~ Merchant Processing Agreements**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 514)

The Bill was then sent to the Senate.

**House Bill 822 – Delegates Hettleman, Acevero, Korman, Terrasa, Valentino–Smith, and P. Young**

AN ACT concerning

**University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions**

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

Affirmative – 95 Negative – 42 (See Roll Call No. 515)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 58

**House Bill 433 – Delegates Fraser–Hidalgo, Pena–Melnyk, Atterbeary, Barve, Korman, Shetty, and Wilkins**

AN ACT concerning

**Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act)**

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

Affirmative – 112 Negative – 24 (See Roll Call No. 516)

The Bill was then sent to the Senate.

**House Bill 460 – Harford County Delegation**

AN ACT concerning

**Harford County Board of Education – Elected Members – Start Date of Term**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 517)

The Bill was then sent to the Senate.

**House Bill 552 – Delegate Malone**

AN ACT concerning

**Interception of Oral Communication – Law Enforcement Officer**

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

Affirmative – 102 Negative – 35 (See Roll Call No. 518)

The Bill was then sent to the Senate.

**House Bill 564 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Gaming – Bingo Games**

**MC 1–19**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 519)

The Bill was then sent to the Senate.

**House Bill 606 – Delegates Clippinger, R. Lewis, and Lierman**

AN ACT concerning

**Juvenile Justice Reform Council**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 520)

The Bill was then sent to the Senate.

**House Bill 1183 – Delegates Hill, Bartlett, Cain, Carr, Clippinger, Crutchfield, Cullison, Ebersole, Feldmark, Haynes, Hettleman, Johnson, Kelly, R. Lewis, Luedtke, McIntosh, Qi, Shetty, Terrasa, and K. Young**

AN ACT concerning

**Public Health – Treatment for the Prevention of HIV – Consent by Minors**

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

Affirmative – 123 Negative – 13 (See Roll Call No. 521)

The Bill was then sent to the Senate.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 11

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 66 – Delegate Stein**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

**HB0066/180712/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 66
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Stein" and substitute "Delegates Stein, Boyce, Bridges, Fraser–Hidalgo, Harrison, Lehman, Stewart, and Wells".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Adams moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 217 – Delegate Sydnor**

AN ACT concerning

**Baltimore County – Nuisance Actions – Community Association Standing**

**HB0217/300119/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 217
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Sydnor" and substitute "Baltimore County Delegation".

AMENDMENT NO. 2

On page 1, in line 20, after "(2)" insert "**(I)**"; and in line 22, strike "(i)" and substitute "**1.**".

On page 2, in lines 6, 12, and 17, strike "(ii)", "**(III)**", and "**(IV)**", respectively, and substitute "**2.**", "**3.**", and "**4.**", respectively; and after line 18, insert:

"**(II) "COMMUNITY ASSOCIATION" INCLUDES A MARYLAND NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT:**

**1. MEETS THE REQUIREMENTS OF AN INDIVIDUAL COMMUNITY ASSOCIATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND**

**2. REPRESENTS TWO OR MORE INDIVIDUAL COMMUNITY ASSOCIATIONS.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 276 – Allegany County Delegation and Chair, Garrett County Delegation**

AN ACT concerning

**Allegany County and Garrett County – School Buses – Length of Operation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 301 – Delegates Wilkins, Anderson, Barron, Boyce, Bridges, Charles, Conaway, Ebersole, Fennell, W. Fisher, Fraser–Hidalgo, Ivey, Jalisi, Lafferty, Love, Stewart, Wells, and K. Young**

AN ACT concerning

**Vehicle Laws – Ethnicity–Based or Race–Based Traffic Stops – Policy and Reporting Requirements**

**HB0301/180610/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 301

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Ethnicity–Based or"; strike beginning with "altering" in line 4 down through "definition;" in line 10; and in line 12, after "changes;" insert "altering a certain definition;".

AMENDMENT NO. 2

On page 2, in lines 19, 20, 24, and 27, in each instance, strike the bracket; and in line 22, strike "**OR**".

AMENDMENT NO. 3

On page 3, in line 7, strike "**ETHNICITY–BASED AND**"; in line 10, strike the brackets; in the same line, strike "**THIS**"; and in lines 12 and 15, in each instance, strike the bracket.

AMENDMENT NO. 4

On page 4, in lines 7 and 11, in each instance, strike the bracket; strike beginning with "**THE**" in line 8 down through "**(16)**" in line 11; in lines 12 and 16, in each instance, strike the bracket; and strike beginning with "**(I)**" in line 17 down through "**RACE.**" in line 23.

AMENDMENT NO. 5

On page 5, in lines 1, 2, and 5, in each instance, strike the bracket; in lines 2 and 5, strike "**(1)**" and "**(2)**", respectively; in lines 7 and 10, in each instance, strike the bracket; in line 16, strike "**, DISAGGREGATED BY JURISDICTION AND LAW ENFORCEMENT AGENCY,**"; and strike in their entirety lines 19 through 22, inclusive.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 429 – Delegates Lisanti, Cassilly, Hornberger, Johnson, and Reilly**

AN ACT concerning

**Tow Trucks – Driver Safety Act**

**HB0429/810018/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 429
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegates Lisanti, Cassilly, Hornberger, Johnson, and Reilly" and substitute "Environment and Transportation Committee".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 502 – Delegates Hill, Bagnall, Chang, Crutchfield, Fennell, Gaines, Hettleman, Jalisi, Lehman, and Smith**

AN ACT concerning

**Environment – Office of Recycling – Mattresses and Box Springs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 510 – Delegates Cassilly, Jalisi, and Stein**

AN ACT concerning

**Composting – Food Waste – Acceptance for Final Disposal**

**HB0510/220513/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 510
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal"; in lines 4 and 5, in each instance, strike "food" and substitute "organic"; in line 5, strike "the composting" and substitute "the organics recycling"; in the same line, after "waste;" insert "authorizing loads of certain food waste to be transported to a refuse disposal system for final disposal under certain circumstances; defining certain terms; altering a certain definition;"; in the same line, strike "related to composting" and substitute "relating to organics recycling"; and after line 5, insert:

"BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1701
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 21, insert:

"9–1701.

(a) In this subtitle the following words have the meanings indicated.

**(B) "ANAEROBIC DIGESTION" MEANS THE CONTROLLED ANAEROBIC BIOLOGICAL DECOMPOSITION OF ORGANIC WASTE MATERIAL TO PRODUCE BIOGAS AND DIGESTATE.**

**[**(b)**] (C)** "Compost" means the product of composting in accordance with the standards established by the Secretary of Agriculture under § 6–221 of the Agriculture Article.

**[**(c)**] (D)** "Composting" means the controlled aerobic biological decomposition of organic waste material in accordance with the standards established by the Secretary under this title.

**[**(d)**] (E)** (1) "Composting facility" means a facility where composting takes place.

(2) "Composting facility" does not include a facility that is required to obtain:

(i) A natural wood waste recycling facility permit in accordance with this title;

(ii) A sewage sludge utilization permit in accordance with this title; or

(iii) A refuse disposal permit in accordance with this title.

**[**(e)**] (F)** (1) "Computer" means a desktop personal computer or laptop computer, including the computer monitor.

(2) "Computer" does not include:

(i) A personal digital assistant device; or

(ii) A computer peripheral device, including:

1. A mouse or other similar pointing device;

2. A printer; or

3. A detachable keyboard.

**[**(f)**] (G)** (1) "Covered electronic device" means a computer or video display device with a screen that is greater than 4 inches measured diagonally.

(2) "Covered electronic device" does not include a video display device that is part of a motor vehicle or that is contained within a household appliance or commercial, industrial, or medical equipment.

**[**(g)**] (H)** "Covered electronic device takeback program" means a program, established by a covered electronic device manufacturer or a group of covered electronic device manufacturers, for the collection and recycling, refurbishing, or reuse of a covered electronic device labeled with the name of the manufacturer or the manufacturer's brand label, including:

(1) Providing, at no cost to the returner, a method of returning a covered electronic device to the manufacturer, including postage paid mailing packages or designated collection points throughout the State;

(2) Contracting with a recycler, local government, other manufacturer, or any other person; or

(3) Any other program approved by the Department.

**[**(h)**] (I)** "Director" means the Director of the Office of Recycling.

**[**(i)**] (J)** "Manufacturer" means a person that is the brand owner of a covered electronic device sold or offered for sale in the State, by any means, including transactions conducted through sales outlets, catalogs, or the Internet.

**[**(j)**] (K)** (1) "Natural wood waste" means tree and other natural vegetative refuse.

(2) "Natural wood waste" includes tree stumps, brush and limbs, root mats, logs, and other natural vegetative material.

**[**(k)**] (L)** (1) "Natural wood waste recycling facility" means a facility where recycling services for natural wood waste are provided.

(2) "Natural wood waste recycling facility" does not include a collection or processing facility operated by:

(i) A nonprofit or governmental organization located in the State; or

(ii) A single individual or business that provides recycling services for its own employees or for its own recyclable materials generated on its own premises.

**[**(l)**] (M)** "Office" means the Office of Recycling within the Department.

**(N) (1) "ORGANICS RECYCLING" MEANS ANY PROCESS IN WHICH ORGANIC MATERIALS ARE COLLECTED, SEPARATED, OR PROCESSED AND RETURNED TO THE MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.**

**(2) "ORGANICS RECYCLING" INCLUDES ANAEROBIC DIGESTION AND COMPOSTING.**

**(O) "ORGANICS RECYCLING FACILITY" MEANS A FACILITY WHERE ORGANICS RECYCLING TAKES PLACE.**

**[**(m)**] (P)** "Recyclable materials" means those materials that:

(1) Would otherwise become solid waste for disposal in a refuse disposal system; and

(2) May be collected, separated, composted, or processed and returned to the marketplace in the form of raw materials or products.

**[**(n)**] (Q)** **[**(1)**]** "Recycling" means any process in which recyclable materials are collected, separated, or processed and returned to the marketplace in the form of raw materials or products.

**[**(2) "Recycling" includes composting.**]**

**[**(o)**] (R)** "Recycling services" means the services provided by persons engaged in the business of recycling, including the collection, processing, storage, purchase, sale, or disposition of recyclable materials.

**[**(p)**] (S)** "Resource recovery facility" means a facility in existence as of January 1, 1988 that:

(1) Processes solid waste to produce valuable resources, including steam, electricity, metals, or refuse–derived fuel; and

(2) Achieves a volume reduction of at least 50 percent of its solid waste stream.

**[**(q)**] (T)** (1) "Solid waste stream" means garbage or refuse that would, unless recycled, be disposed of in a refuse disposal system.

(2) "Solid waste stream" includes organic material capable of being composted that is not composted in accordance with regulations adopted under § 9–1725(b) of this subtitle.

(3) "Solid waste stream" does not include:

(i) Hospital waste;

(ii) Rubble;

(iii) Scrap material;

(iv) Land clearing debris;

(v) Sewage sludge; or

(vi) Waste generated by a single individual or business and disposed of in a facility dedicated solely for that entity's waste.

**[**(r)**] (U)** (1) "Video display device" means an electronic device with an output surface that displays or is capable of displaying moving graphical images or visual representations of image sequences or pictures that show a number of quickly changing images on a screen to create the illusion of motion.

(2) "Video display device" includes a device that is an integral part of the display and cannot easily be removed from the display by the consumer and that produces the moving image on the screen.

(3) A video display device may use a cathode–ray tube (CRT), liquid crystal display (LCD), gas plasma, digital light processing, or other image–projection technology.

**[**(s)**] (V)** "White goods" includes:

(1) Refrigerators;

(2) Stoves;

(3) Washing machines;

(4) Dryers;

(5) Water heaters; and

(6) Air conditioners.

**[**(t)**] (W)** (1) "Yard waste" means organic plant waste derived from gardening, landscaping, and tree trimming activities.

(2) "Yard waste" includes leaves, garden waste, lawn cuttings, weeds, and prunings.";

and in line 23, strike "**AN**" and substitute "**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN**".

On page 2, in line 3, strike "**COMPOSTING OR MULCHING**" and substitute "**ORGANICS RECYCLING**"; in lines 5 and 10, in each instance, strike "**COMPOSTING**" and substitute "**ORGANICS RECYCLING**"; after line 6, insert:

"**(B) LOADS OF SEPARATELY COLLECTED FOOD WASTE THAT ARE DETERMINED BY AN ORGANICS RECYCLING FACILITY TO BE UNACCEPTABLE FOR**

**RECYCLING DUE TO CONTAMINATION MAY BE ACCEPTED BY A REFUSE DISPOSAL SYSTEM FOR FINAL DISPOSAL.**";

and in line 9, strike "**A COMPOSTING**" and substitute "**AN ORGANICS RECYCLING**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 826 – Delegate Korman**

AN ACT concerning

**Condominiums and Homeowners Associations – Electric Vehicle Recharging Equipment**
**(Electric Vehicle Recharging Equipment for Multifamily Units Act)**

**HB0826/300115/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 826
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Korman" and substitute "Delegates Korman, Barve, Ciliberti, Fraser–Hidalgo, Holmes, Lehman, Love, Parrott, and Stewart"; in line 13, strike "authorize" and substitute "approve"; strike beginning with "for" in line 14 down through "areas" in line 15 and substitute "in a certain parking space"; in line 15, strike "requiring" and substitute "authorizing"; and in line 16, strike "easement" and substitute "license".

AMENDMENT NO. 2

On page 3 in line 23, and on page 6 in line 6, in each instance, strike "**THE**" and substitute "**:**

**A. ALL RELEVANT BUILDING CODES AND SAFETY STANDARDS; AND**

**B. THE**".

On page 4, in line 19, strike "**THE**" and substitute "**NOTWITHSTANDING THE PROVISIONS OF § 11–125 OF THIS TITLE, THE**".

On page 4 in line 19, and on page 7 in line 2, in each instance, strike "**SHALL**" and substitute "**MAY**".

On page 4 in line 19, and on page 7 in line 2, in each instance, strike "**AN EASEMENT**" and substitute "**A 3–YEAR LICENSE, RENEWABLE AT THE DISCRETION OF THE GOVERNING BODY,**".

AMENDMENT NO. 3

On page 2, in line 31, strike "**DESIGNATED PARKING SPACE, INCLUDING A**"; and strike beginning with the second comma in line 31 down through the comma in line 32.

On page 3, strike beginning with "**DESIGNATED**" in line 15 down through the first "**A**" in line 16; and in line 16, strike the second comma.

On page 5, in line 12, strike "**DESIGNATED PARKING SPACE, INCLUDING A**"; strike beginning with the second comma in line 12 down through the comma in line 13; strike beginning with "**DESIGNATED**" in line 30 down through the first "**A**" in line 31; and in line 31, strike the second comma.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 885 – Delegates Palakovich Carr, Acevero, Barve, Boyce, Bridges, Carr, Charkoudian, Conaway, Crutchfield, Dumais, Ebersole, Feldmark, Guyton, Harrison, Healey, Hettleman, Hill, Ivey, Kaiser, Kelly, Korman, Lafferty,**

**Lehman, R. Lewis, Lierman, Love, Luedtke, Moon, Mosby, Qi, Queen, Shetty, Smith, Solomon, Stewart, Terrasa, Wells, Wilkins, and P. Young**

AN ACT concerning

**Transportation – Vision Zero – Establishment**

**HB0885/510612/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 885
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 8 down through "regulations;" in line 9; and in line 16, strike "8–1008" and substitute "8–1007".

AMENDMENT NO. 2

On page 2, in line 9, strike "**HIGHWAY**" and substitute "**ROADWAY**"; in line 15, strike "**HIGHWAYS**" and substitute "**ROADWAYS**"; and in line 18, strike "**STATE HIGHWAYS**" and substitute "**ROADWAYS BY THE YEAR 2030**".

AMENDMENT NO. 3

On page 3, in line 5, strike "**REDUCED SPEED LIMITS**" and substitute "**TRAFFIC CALMING**"; strike in their entirety lines 8 through 14, inclusive; in lines 15, 17, 19, 21, 23, 25, and 27, strike "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively; in line 26, strike "**AND**"; and in line 28, after "**ZERO**" insert "**; AND**

**(11) INVESTING MORE RESOURCES INTO CONSTRUCTION NEEDS FOR HIGH–ACCIDENT INTERSECTIONS AND ROADWAY SECTIONS**".

AMENDMENT NO. 4

On page 4, strike beginning with "**THE**" in line 4 down through "**8–1008**" in line 5.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1218 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Landlord and Tenant – Repossession for Failure to Pay Rent – Procedures**

**HB1218/580510/1**
BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1218
(First Reading File Bill)

On page 3, strike in their entirety lines 24 and 25; in line 26, strike "**6.**" and substitute "**5.**".

On page 4, in lines 1 and 5, strike "**7.**" and "**8.**", respectively, and substitute "**6.**" and "**7.**", respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 12**

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 687 – Delegates Wilson, Atterbeary, Bromwell, and D.E. Davis**

AN ACT concerning

**Civil Actions – Child Sexual Abuse – Statute of Limitations**

**HB0687/172213/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 687
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and D.E. Davis" and substitute "D.E. Davis, Moon, Lopez, Grammer, Bartlett, Crutchfield, McComas, R. Watson, Arikan, Shetty, and W. Fisher"; in line 2, after "Abuse –" insert "Definition and"; after line 2, insert "(Hidden Predator Act of 2019)"; in line 3, after the first "of" insert "altering the definition of "sexual abuse";"; and in lines 4 and 5, strike "providing for the application of this Act" and substitute "providing for the retroactive application of this Act under certain circumstances".

AMENDMENT NO. 2

On page 1, in lines 19 and 20, strike "has the meaning stated in § 5–701 of the Family Law Article" and substitute "**MEANS ANY ACT THAT INVOLVES:**

**(1) ALLOWING OR ENCOURAGING A CHILD TO ENGAGE IN:**

**(I) OBSCENE PHOTOGRAPHY, FILMS, POSES, OR SIMILAR ACTIVITY;**

**(II) PORNOGRAPHIC PHOTOGRAPHY, FILMS, POSES, OR SIMILAR ACTIVITY; OR**

**(III) PROSTITUTION;**

**(2) INCEST;**

**(3) RAPE;**

**(4) SEXUAL OFFENSE IN ANY DEGREE;**

**(5) SODOMY; OR**

**(6) UNNATURAL OR PERVERTED SEXUAL PRACTICES**".

On page 2, strike beginning with "may" in line 22 down through "2019" in line 24 and substitute "shall be construed to apply retroactively to revive any action that was barred by the application of the period of limitations applicable before October 1, 2019, if the action is filed before October 1, 2021".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wilson moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 782 – Delegates Atterbeary, Anderson, Cain, Cardin, Chang, J. Lewis, Lierman, Moon, Shetty, and Sydnor**

AN ACT concerning

**Criminal Procedure – Motion to Vacate Judgment – Human Trafficking (True Freedom Act of 2019)**

**HB0782/102512/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 782
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "motion;" insert "requiring that a certain motion be served on a certain State's Attorney; requiring that a certain motion be mailed to a certain victim or victim's representative at a certain address under certain circumstances; authorizing the court to grant a certain motion under certain circumstances; requiring the court to take certain factors into consideration when making a certain finding; requiring the court to grant a certain motion without a hearing under certain circumstances;".

AMENDMENT NO. 2

On page 4, in line 4, strike "**PROXIMATE**" and substitute "**DIRECT**"; in line 9, strike "and"; in line 10, strike "provide" and substitute "**INCLUDE**"; in line 11, after "section" insert "**;**

**(4) BE SERVED ON THE STATE'S ATTORNEY IN THE JURISDICTION WHERE THE CONVICTION FOR THE QUALIFYING OFFENSE OCCURRED; AND**

**(5) IF THE QUALIFYING OFFENSE OCCURRED WITHIN 5 YEARS BEFORE THE FILING OF THE MOTION, BE MAILED TO ANY VICTIM OR VICTIM'S REPRESENTATIVE AT THE VICTIM'S OR VICTIM'S REPRESENTATIVE'S LAST KNOWN ADDRESS**";

strike beginning with "Except" in line 12 down through "section" in line 14 and substitute "**AFTER A HEARING, THE COURT MAY GRANT A MOTION FILED UNDER THIS SECTION ON A FINDING BASED ON A PREPONDERANCE OF THE EVIDENCE THAT THE MOVANT COMMITTED THE QUALIFYING OFFENSE AS A DIRECT RESULT OF BEING A VICTIM OF HUMAN TRAFFICKING.**

**(2) WHEN MAKING A FINDING UNDER THIS SUBSECTION, THE COURT SHALL CONSIDER:**

**(I) THE LENGTH OF TIME BETWEEN THE OFFENSE AND THE TRAFFICKING OF THE MOVANT;**

**(II) THE DYNAMICS OF THE RELATIONSHIP BETWEEN THE MOVANT AND THE PERSON COMMITTING TRAFFICKING AGAINST THE MOVANT; AND**

**(III) ANY OTHER RELEVANT EVIDENCE.**

**(E) THE COURT SHALL GRANT A MOTION FILED UNDER THIS SECTION WITHOUT A HEARING IF:**

**(1) THE STATE'S ATTORNEY CONSENTS TO THE MOTION;**

**(2) NO OBJECTION TO THE RELIEF REQUESTED HAS BEEN FILED BY A VICTIM OR VICTIM'S REPRESENTATIVE; AND**

**(3) AT LEAST 60 DAYS HAVE ELAPSED SINCE NOTICE AND SERVICE UNDER SUBSECTION (C) OF THIS SECTION**";

in line 15, strike "(2)" and substitute "**(F)**"; in the same line, after "motion" insert "**FILED UNDER THIS SECTION**"; in lines 17, 18, and 20, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively; and in lines 22, 26, and 28, strike "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(G)**", "**(H)**", and "**(I)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 911 – Delegates Krimm, Acevero, Barron, Carr, Hettleman, Jackson, Kipke, J. Lewis, R. Lewis, McKay, Solomon, and Valentino–Smith**

AN ACT concerning

**Unaccompanied Minors in Need of Shelter – Consent to Shelter and Supportive Services**

**HB0911/262511/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 911
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Unaccompanied" insert "Joint Committee on Ending Homelessness – "; in lines 2 and 3, strike "– Consent to Shelter and Supportive Services"; strike beginning with "providing" in line 4 down through "circumstances" in line 16 and substitute "altering the duties of the Joint Committee on Ending Homelessness to include certain duties regarding unaccompanied homeless minors; requiring the Committee to include in a certain annual report certain recommendations related to issues regarding unaccompanied homeless minors"; in line 16, after "defining" insert "a"; in the same line, strike "terms" and substitute "term"; in line 17, after "shelter" insert "and the Joint

Committee on Ending Homelessness"; and strike in their entirety lines 18 through 23, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–15
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 23, insert:

"Preamble

WHEREAS, During the 2016–2017 school year, Maryland public schools identified 2,337 unaccompanied homeless students who lacked stable housing, were not in the physical custody of a parent or guardian, and were not under the care or custody of a child–serving public agency; and

WHEREAS, Unaccompanied homeless minors are a largely invisible and highly vulnerable population that often lacks access to safe shelter options and supportive services designed for youth; and

WHEREAS, Without access to safe shelter options and supportive services designed for youth, unaccompanied homeless minors are at risk for trafficking and other abuse, dropping out of school, juvenile justice involvement, poor mental and physical health outcomes, and other harms; and

WHEREAS, There is a general lack of knowledge about the unique needs of unaccompanied homeless minors and the public and private sector programs and resources that are available to meet those needs, and there is an urgent need to address gaps in those programs and resources; now, therefore,".

AMENDMENT NO. 3

On pages 1 through 4, strike in their entirety the lines beginning with line 26 on page 1 through line 31 on page 4, inclusive, and substitute:

"Article – State Government

2–10A–15.

**(A) IN THIS SECTION, "UNACCOMPANIED HOMELESS MINOR" MEANS A MINOR:**

**(1) WHO IS NOT IN THE PHYSICAL CUSTODY OF A PARENT OR GUARDIAN AND LACKS A FIXED, REGULAR, AND ADEQUATE NIGHTTIME RESIDENCE; OR**

**(2) WHOSE STATUS OR CIRCUMSTANCES INDICATE A SIGNIFICANT DANGER OF EXPERIENCING HOMELESSNESS IN THE NEAR FUTURE.**

**[**(a)**] (B)** There is a Joint Committee on Ending Homelessness.

**[**(b)**] (C)** (1) The Committee consists of 16 members.

(2) Of the 16 members:

(i) eight shall be members of the Senate of Maryland, appointed by the President of the Senate; and

(ii) eight shall be members of the House of Delegates, appointed by the Speaker of the House.

**[**(c)**] (D)** (1) The members of the Committee serve at the pleasure of the presiding officer who appointed them.

(2) (i) If a vacancy occurs among the Senators on the Committee, a successor promptly shall be appointed by the President of the Senate.

(ii) If a vacancy occurs among the Delegates on the Committee, a successor promptly shall be appointed by the Speaker of the House.

**[**(d)**] (E)** From among the membership of the Committee, the President of the Senate shall appoint a Senator to serve as the Senate Chair of the Committee, and the Speaker of the House shall appoint a Delegate to serve as the House Chair of the Committee.

**[**(e)**] (F)** A majority of the full authorized membership of the Committee is a quorum.

**[**(f)**] (G)** The Department of Legislative Services shall provide staff assistance to the Committee.

**[**(g)**] (H)** The Committee shall hold:

(1) an organizational meeting promptly after the appointment of its members; and

(2) any other meetings that the Committee considers necessary to carry out its duties efficiently.

**[**(h)**] (I)** The Committee may:

(1) hold a hearing on any matter relating to the functions of the Committee; and

(2) consider a vote on a bill or resolution referred to the Committee by the President of the Senate or the Speaker of the House.

**[**(i)**] (J)** To ensure that public resources, programs, and policies are coordinated and effective in preventing, mitigating the effects of, and ending homelessness in Maryland, the Committee shall:

(1) study issues relating to homelessness, including:

(i) housing;

(ii) income;

(iii) health care;

(iv) education;

(v) government supports; and

(vi) veterans experiencing homelessness;

(2) consult with governmental agencies, community–based organizations, and other stakeholders to identify State policies, programs, and actions that should or could prevent, mitigate the effects of, and end homelessness in Maryland;

(3) review and make recommendations to align State statutes, regulations, programs, services, and budgetary priorities with the State policies and actions described in item (2) of this subsection;

(4) search for any intradepartmental or interdepartmental gaps, inconsistencies, and inefficiencies in the implementation or attainment of the State policies, programs, and actions described in item (2) of this subsection; **[**and**]**

(5) identify new laws, regulations, programs, services, and budgetary priorities that are needed to prevent, mitigate the effects of, and end homelessness in Maryland**;**

**(6) (I) COMPILE INFORMATION ON IDENTIFIED UNIQUE NEEDS, IDENTIFY NEW UNIQUE NEEDS, AND STUDY THE UNIQUE NEEDS OF UNACCOMPANIED HOMELESS MINORS, AND**

**(II) IDENTIFY THE PUBLIC AND PRIVATE SECTOR PROGRAMS AND RESOURCES AVAILABLE TO MEET THOSE NEEDS;**

**(7) IDENTIFY GAPS IN PUBLIC AND PRIVATE SECTOR PROGRAMS AND RESOURCES AVAILABLE TO MEET THE NEEDS OF UNACCOMPANIED HOMELESS MINORS; AND**

**(8) (I) IDENTIFY BARRIERS TO ACCESS TO SAFE SHELTER FOR UNACCOMPANIED HOMELESS MINORS; AND**

**(II) COMPILE INFORMATION ON AND STUDY SHELTER PRACTICES IN OTHER STATES**.

**[**(j)**] (K)** The Governor's Interagency Council on Homelessness shall:

(1) cooperate fully with the Committee;

(2) keep the Committee fully informed as to its priorities and progress; and

(3) submit an annual report, subject to § 2–1246 of this title, to the Committee on or before October 1 of each year that includes:

(i) a description of the Council's work;

(ii) a report on the Council's priorities and progress; and

(iii) recommendations for new laws, regulations, programs, services, and budgetary priorities that are needed to prevent, mitigate the effects of, and end homelessness in Maryland.

**[**(k)**] (L)** (1) Subject to § 2–1246 of this title, the Committee shall submit a report to the General Assembly on or before December 1 each year.

(2) The report shall include:

(i) a description of the work of the Committee; and

(ii) any recommendations of the Committee**, INCLUDING RECOMMENDATIONS REGARDING:**

**1. ANY LEGISLATIVE AND REGULATORY CHANGES AND ANY NEW POLICY INITIATIVES TO ADDRESS THE NEEDS OF UNACCOMPANIED HOMELESS MINORS IN THE STATE; AND**

**2. FUNDING REQUIREMENTS AND BUDGETARY PRIORITIES NECESSARY TO ADDRESS THE NEEDS OF UNACCOMPANIED HOMELESS MINORS IN THE STATE**.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1027 – Delegates Lopez, Acevero, B. Barnes, Bartlett, Cardin, Feldmark, Glenn, Grammer, Harrison, Kelly, Mosby, Queen, Reznik, Solomon, Stewart, and Wells**

AN ACT concerning

**Criminal Law – Child Pornography**

**HB1027/642213/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1027
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Lopez," insert "Wilson,"; in the same line, strike "and Wells" and substitute "Wells, Atterbeary, Malone, J. Lewis, Sydnor, Moon, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty, W. Fisher, Cox, Anderson, and Conaway"; and in line 7, after "manner;" insert "defining a certain term;".

AMENDMENT NO. 2

On page 5, after line 5, insert:

"**(A) (1) IN THIS SECTION, "INDISTINGUISHABLE FROM AN ACTUAL CHILD" MEANS AN ORDINARY PERSON WOULD CONCLUDE THAT THE IMAGE IS OF AN ACTUAL MINOR ENGAGED IN SEXUAL CONDUCT.**

**(2) "INDISTINGUISHABLE FROM AN ACTUAL CHILD" INCLUDES AN ACTUAL MINOR OR A COMPUTER–GENERATED IMAGE THAT HAS BEEN CREATED, ADAPTED, OR MODIFIED TO APPEAR AS AN IDENTIFIABLE CHILD.**

**(3) "INDISTINGUISHABLE FROM AN ACTUAL CHILD" DOES NOT INCLUDE IMAGES OR ITEMS DEPICTING MINORS THAT ARE:**

**(I) DRAWINGS;**

**(II) CARTOONS;**

**(III) SCULPTURES; OR**

**(IV) PAINTINGS.**";

and in lines 6, 13, 19, and 24, strike "(a)", "(b)", "(c)", and "(d)", respectively, and substitute "**(B)**", "**(C)**", "**(D)**", and "**(E)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1147 – Delegate Atterbeary**

AN ACT concerning

**Family Law – Minors – Emancipation**
**(Emancipation of Minors Act)**

**HB1147/452415/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1147
(First Reading File Bill)

On page 7, in lines 22 and 23, strike "**SUPERSEDE AGE REQUIREMENTS FOR**" and substitute "**HAVE THE SAME EFFECT AS THE PETITIONER REACHING THE AGE OF MAJORITY FOR THE PURPOSES OF**".

On page 8, in line 1, strike "**OR**"; and in line 4, after "**YEARS**" insert "**; OR**

**(VI) THE PROVISIONS OF TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE OR § 4–202, § 4–202.1, OR § 4–202.2 OF THE CRIMINAL PROCEDURE ARTICLE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1273 – Delegates Wilkins, Acevero, D. Barnes, Cain, Carr, Cullison, Ebersole, Feldmark, W. Fisher, Hill, Ivey, R. Lewis, Luedtke, Mosby, Palakovich Carr, Patterson, Smith, Turner, and Washington**

AN ACT concerning

**Immigration Enforcement – County Boards of Education, Public Institutions of Higher Education, and Hospitals – Policies**

**HB1273/722811/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1273
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Washington" and substitute "Washington, Atterbeary, J. Lewis, Moon, Lopez, Crutchfield, and Shetty"; strike beginning with "County" in line 2 down through "Hospitals" in line 3 and substitute "Public Schools, Hospitals, and Courthouses"; strike beginning with "county" in line 10 down through "hospitals" in line 11 and substitute "public schools, hospitals, and courthouses"; and strike in their entirety lines 12 through 21, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 23, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 2 on page 3, inclusive, and substitute:

"**(A) THE ATTORNEY GENERAL, IN CONSULTATION WITH THE APPROPRIATE STAKEHOLDERS, SHALL DEVELOP GUIDELINES TO ASSIST PUBLIC SCHOOLS, HOSPITALS, AND COURTHOUSES TO DRAFT POLICIES THAT LIMIT CIVIL IMMIGRATION ENFORCEMENT ACTIVITIES ON THEIR PREMISES IN ORDER TO**

**ENSURE THESE FACILITIES REMAIN SAFE AND ACCESSIBLE TO ALL, REGARDLESS OF IMMIGRATION STATUS.**

**(B) PUBLIC SCHOOLS, HOSPITALS, AND COURTHOUSES MAY ESTABLISH AND PUBLISH POLICIES THAT LIMIT IMMIGRATION ENFORCEMENT ON THEIR PREMISES TO THE FULLEST EXTENT POSSIBLE CONSISTENT WITH FEDERAL AND STATE LAW BASED ON THE GUIDELINES DEVELOPED BY THE ATTORNEY GENERAL.**".

On page 3, in line 3, strike "July" and substitute "October".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1330 – Delegates R. Watson, D. Barnes, Barron, D.M. Davis, Jackson, and Wilkins**

AN ACT concerning

**State Law Library – Renaming**

**HB1330/282414/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1330
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, in each instance, after "Marshall" insert "State".

AMENDMENT NO. 2

On page 2, in lines 13, 15, 22, 24, and 26, in each instance, after "**MARSHALL**" insert "**STATE**".

On page 3, in lines 1, 8, 14, 19, 25, and 30, in each instance, after "**MARSHALL**" insert "**STATE**".

On page 4, in lines 5, 9, 15, 20, and 23, in each instance, after "**MARSHALL**" insert "**STATE**".

On page 5, in line 24, after "Marshall" insert "State".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 13

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 740 – Delegates Dumais, Atterbeary, Acevero, Anderson, Bagnall, B. Barnes, D. Barnes, Barron, Barve, Boyce, Branch, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Crutchfield, D.M. Davis, D.E. Davis, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Jackson, Johnson, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena–Melnyk, Pendergrass, Qi, Queen, Reznik, Rogers, Rosenberg, Shetty, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, R. Watson, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Criminal Law – Firearms – Computer–Aided Fabrication and Serial Number (3–D Printed Firearms and Ghost Guns)**

**HB0740/582918/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 740

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Ghost Guns"; strike beginning with "prohibiting" in line 4 down through "firearm;" in line 8; in line 13, after "terms;" insert "requiring the Department of State Police to develop a certain plan and submit a certain report on or before a certain date;"; in line 16, strike "4–111 and"; and in the same line, strike "4–604" and substitute "4–603".

On page 2, in line 3, strike "4–201(b), 4–204(a), and"; in the same, line after "(8)," insert "and"; and in the same line, strike ", and (11)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 9 on page 2 through line 19 on page 3, inclusive.

AMENDMENT NO. 3

On page 4, strike lines 20 and 21 in their entirety; strike line 23 in its entirety and substitute "**MEANS A PERSON LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TO MANUFACTURE OR IMPORT FIREARMS.**"; and in lines 22 and 24, strike "**(I)**" and "**(J)**", respectively, and substitute "**(H)**" and "**(I)**", respectively.

On page 5, in line 3, strike "**GUN**" and substitute "**FIREARM**"; in the same line, after "**MANUFACTURER**" insert "**OR IMPORTER**"; and strike in their entirety lines 7 through 13, inclusive.

On page 6, strike in their entirety lines 16 and 17 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 30, 2019, the Department of State Police shall develop a plan for a system in the State for the registration of firearms not imprinted with a serial number issued by a federally licensed firearms manufacturer or importer and submit a report describing the system, as well as a cost estimate for the implementation and ongoing operation of the system, to the House Judiciary Committee and the Senate Judicial Proceedings Committee, in accordance with § 2–1246 of the State Government Article.";

in line 18, strike "2." and substitute "3."; and in line 19, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 786 – Delegates Atterbeary, Acevero, B. Barnes, Bartlett, Barve, Branch, Bridges, Cain, Carr, Chang, Charkoudian, Charles, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Healey, Hettleman, Hill, Ivey, Jalisi, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pendergrass, Proctor, Qi, Reznik, Rogers, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, K. Young, and P. Young**

AN ACT concerning

**Public Safety – Rifles and Shotguns – Transactions**

**HB0786/832918/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 786
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Transactions" insert "Secondary"; and strike beginning with "authorizing" in line 8 down through "circumstances;" in line 9.

On pages 1 and 2, strike beginning with "prohibiting" in line 16 on page 1 down through "penalties;" in line 19 on page 2; and in line 28, strike "through 5–204.4, 5–207, and 5–208".

AMENDMENT NO. 2

On page 3, after line 5, insert:

"**(E) "NICS INDEX" HAS THE MEANING STATED IN § 5–133.2 OF THIS TITLE.**";

in line 6, strike "**(E)**" and substitute "**(F)**"; and strike line 7 in its entirety.

AMENDMENT NO. 3

On page 5, in line 12, after "**SHALL**" insert "**CONDUCT A BACKGROUND CHECK ON THE TRANSFEREE THROUGH THE NICS INDEX AND**"; strike beginning with "**BACKGROUND**" in line 13 down through "**AND**" in line 14 and substitute "**INVENTORY AND**"; strike beginning with "**NOTWITHSTANDING**" in line 15 down through "**(E)**" in line 20; and in lines 27 and 29, strike "**(F)**" and "**(G)**", respectively, and substitute "**(E)**" and "**(F)**", respectively.

AMENDMENT NO. 4

On pages 6 through 14, strike in their entirety the lines beginning with line 5 on page 6 through line 30 on page 14, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for Saturday.

The motion was adopted.

## APPROPRIATIONS COMMITTEE REPORT NO. 8

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 370 – Chair, Appropriations Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Police Force – Repeal**

Favorable report adopted.

Delegate Buckel moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 658 – Delegates Valentino–Smith, Sydnor, D. Barnes, Barron, Branch, Jackson, Jones, Lehman, J. Lewis, McIntosh, Patterson, Pena–Melnyk, Rosenberg, Walker, and R. Watson**

AN ACT concerning

**Interagency Agreements – Historically Black Colleges and Universities – Goals**

**HB0658/304968/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 658
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Goals" and substitute "Reporting Requirements"; and strike beginning with "require" in line 3 down through the first "to" in line 7.

AMENDMENT NO. 2

On page 2, strike beginning with "**(1)**" in line 19 down through "**(E)**" in line 27.

On page 3, strike beginning with "**DETAILED**" in line 13 down through "**(II)**" in line 15; in line 15, after "**THE**" insert "**TOTAL**"; in line 16, after the semicolon insert "**AND**"; strike beginning with "**(III)**" in line 17 down through "**(IV)**" in line 21 and substitute "**(II)**"; and in line 22, strike "**ENCOURAGE ATTAINMENT OF THE 5% GOAL**" and substitute "**ADDRESS BARRIERS TO INTERAGENCY AGREEMENTS WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 824 – Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby**

EMERGENCY BILL

AN ACT concerning

**Financial Aid – Guaranteed Access Grants – Verification and Administration by Institutions of Higher Education**

**HB0824/744168/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 824
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; and strike beginning with "making" in line 15 down through "measure;" in line 16 and substitute "requiring the Financial Aid Advisory Council in the Commission to study a certain process and report certain recommendations to the Commission and to participating institutions on or before a certain date; providing for the termination of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act;".

AMENDMENT NO. 2

On page 5, strike beginning with "That" in line 8 down through "enacted." in line 12 and substitute "That, on or before December 31, 2019, the Financial Assistance Advisory Council in the Maryland Higher Education Commission shall study the financial aid verification process described in Section 1 of this Act and shall make recommendations to the Commission and to participating institutions on the implementation of this Act. The Council shall consider issues relating to the dissemination of information to applicants, limiting inconsistencies and duplication of efforts in the application process, and the prioritization of awards.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2019. It shall remain effective for a period of 2 years and, at the end of June 30, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2020.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 876 – Delegates Hettleman, Acevero, B. Barnes, Barron, Chang, Jackson, Korman, Krimm, Lierman, Reznik, Solomon, Terrasa, Valentino–Smith, and P. Young**

AN ACT concerning

**Higher Education – Policy on Student Concerns About Athletic Programs and Activities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1007 – Delegates Shetty, J. Lewis, Arikan, Atterbeary, Carr, Cox, Dumais, W. Fisher, Hettleman, Hill, Luedtke, McComas, Moon, Solomon, Terrasa, and Wilkins**

AN ACT concerning

**Child Advocacy Centers – Expansion**

**HB1007/994964/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1007

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike ", to the greatest extent practicable,"; in line 15, strike "authorizing" and substitute "requiring"; strike beginning with "beginning" in line 16 down through "year" in line 17; and in line 21, after "prosecutions;" insert "making clarifying and technical changes;".

AMENDMENT NO. 2

On page 2, strike beginning with "**TO**" in line 15 down through the comma in line 16; in lines 26 and 27, strike "**§ 3–602**" and substitute "**TITLE 3, SUBTITLE 6**"; in lines 27 and 30, in each instance, after "**ARTICLE**" insert "**AND TITLE 5, SUBTITLE 7 OF THE FAMILY LAW ARTICLE**"; and in line 29, strike "**§§ 3–601 AND 3–602.1**" and substitute "**TITLE 3, SUBTITLE 6**".

On page 3, in line 9, after "**ORGANIZATION**" insert "**THAT IS**"; and in line 10, after "**CODE**" insert "**AND REPRESENTS URBAN, RURAL, AND SUBURBAN CHILD ADVOCACY CENTERS IN THE STATE**".

AMENDMENT NO. 3

On page 4, strike in their entirety lines 6 through 31, inclusive, and substitute:

"**(E) (1) MONEY FOR CHILD ADVOCACY CENTERS:**

**(I) SHALL BE DISTRIBUTED TO CHILD ADVOCACY CENTERS IN ACCORDANCE WITH A FORMULA AGREED ON BY THE MARYLAND STATEWIDE ORGANIZATION FOR CHILD ADVOCACY CENTERS AND THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION;**

**(II) SHALL BE USED TO SUPPLEMENT, NOT SUPPLANT, MONEY THAT THE PROGRAM RECEIVES FROM OTHER SOURCES; AND**

**(III) MAY BE USED TO ASSIST CHILD ADVOCACY CENTERS IN MEETING THE STANDARDS UNDER SUBSECTION (D) OF THIS SECTION.**

**(2) THE GOVERNOR SHALL APPROPRIATE AT LEAST $300,000 IN THE ANNUAL BUDGET BILL FOR THE CHILD ADVOCACY CENTERS UNDER THIS SECTION.**".

On page 5, in line 18, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1274 – Delegate Rosenberg**

AN ACT concerning

**Opioid Restitution Fund**

**HB1274/954766/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1274
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Rosenberg" and substitute "Delegates Rosenberg, Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Saab, Sample–Hughes, Szeliga, and K. Young"; and in line 11, after "Governor" insert "to develop certain goals, objectives, and indicators, to consult with certain stakeholders at least once annually for a certain purpose, and".

AMENDMENT NO. 2

On page 3, in line 7, strike "**NALOXONE**" and substitute "**MEDICATIONS PROVEN TO PREVENT OR REVERSE AN OVERDOSE**"; in line 13, after "**PROGRAM**" insert "**, INCLUDING FOR ADMINISTRATIVE EXPENSES**"; in line 20, after "**USE**" insert "**, INCLUDING FOR ADMINISTRATIVE EXPENSES**"; in line 22, after "**SALES**" insert "**, INCLUDING FOR ADMINISTRATIVE EXPENSES**"; in the same line, strike "**AND**"; in line 23, after "**(10)**" insert "**RESEARCH REGARDING AND TRAINING FOR SUBSTANCE USE TREATMENT AND OVERDOSE PREVENTION, INCLUDING FOR ADMINISTRATIVE EXPENSES; AND**

**(11)**";

in the same line, after "**OTHER**" insert "**EVIDENCE–BASED INTERVENTIONS FOR OVERDOSE PREVENTION AND**"; and in line 24, strike "**AND PREVENTION PROGRAMS**".

On page 4, in line 3, after "**(I)**" insert "**(1)**"; and after line 6, insert:

"**(2) EXCEPT AS SPECIFIED IN SUBSECTION (F) OF THIS SECTION, MONEY EXPENDED FROM THE FUND MAY NOT BE USED FOR ADMINISTRATIVE EXPENSES.**".

AMENDMENT NO. 3

On page 4, strike beginning with "**FOR**" in line 7 down through the second "**THE**" in line 8 and substitute "**THE**"; in line 9, strike "**APPROPRIATE STATEMENTS OF VISION, MISSION,**"; in line 10, after "**INDICATORS**" insert "**RELATING TO SUBSTANCE USE TREATMENT AND PREVENTION EFFORTS**"; strike beginning with the second "**AND**" in line 10 down through "**INDICATORS**" in line 12; in line 13, after "**(2)**" insert "**AT LEAST ONCE ANNUALLY, CONSULT WITH SUBSTANCE USE TREATMENT AND PREVENTION STAKEHOLDERS, INCLUDING CONSUMERS, PROVIDERS, FAMILIES, AND ADVOCATES, TO IDENTIFY RECOMMENDED APPROPRIATIONS FROM THE FUND; AND**

**(3)**";

in line 16, after "**(I)**" insert "**AN ACCOUNTING OF**"; in line 17, after "**BY**" insert "**:**

**1. USE;**

**2. IF APPLICABLE, JURISDICTION; AND**

**3.**";

in line 18, strike "**AND**"; and strike beginning with "**THE**" in line 19 down through "**EXPENDITURE**" in line 20 and substitute "**THE PERFORMANCE INDICATORS AND PROGRESS TOWARD ACHIEVING THE GOALS AND OBJECTIVES DEVELOPED UNDER ITEM (1) OF THIS SUBSECTION; AND**

**(III) THE RECOMMENDED APPROPRIATIONS FROM THE FUND IDENTIFIED IN ACCORDANCE WITH ITEM (2) OF THIS SUBSECTION**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1344 – Delegates Haynes, Acevero, Chang, Corderman, Jackson, and McKay**

AN ACT concerning

**Department of Juvenile Services – Juvenile Strategic Reentry Program**

**HB1344/744460/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1344
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike "until the child reaches a certain age" and substitute "for a certain period of time".

AMENDMENT NO. 2

On page 3, in line 7, after "**YEARS**" insert "**OR IS RELEASED FROM THE CARE AND CUSTODY OF THE DEPARTMENT, WHICHEVER OCCURS FIRST**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1348 – Delegates Haynes, Chang, Corderman, Jackson, and McKay**

AN ACT concerning

**Public Safety – Youth Crime Prevention and Diversion Parole Fund – Establishment**

**HB1348/234167/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1348
(First Reading File Bill)

On page 3, in line 14, strike "**$500,000**" and substitute "**$100,000**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Washington moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1425 – Chair, Appropriations Committee (By Request – Departmental – Stadium Authority)**

AN ACT concerning

**Maryland Stadium Authority – Development of Supplemental Facilities to Benefit Camden Yards**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 11

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 13 – Delegate Barron**

AN ACT concerning

**Criminal Procedure – Partial Expungement**

**HB0013/802013/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 13

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Expungement" insert "and Expungement of Misdemeanor Conviction"; strike beginning with "setting" in line 4 down through "date;" in line 9 and substitute "establishing procedures for the filing of a petition for partial expungement; authorizing a person to file a petition for expungement of certain records if the person is convicted of fourth degree burglary; making this Act subject to a certain contingency; requiring the State Court Administrator to report to certain committees of the General Assembly and the Department of Legislative Services on or before a certain date; requiring the State Court Administrator to issue a status report under certain circumstances with a certain frequency; defining a certain term;"; in line 9, strike "partial"; and strike in their entirety lines 11 through 20, inclusive, and substitute:

"BY adding to
Article – Criminal Procedure
Section 10–105.1
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments
Article – Criminal Procedure
Section 10–110(a)(1)(ix)
Annotated Code of Maryland
(2018 Replacement Volume)".

AMENDMENT NO. 2

On pages 1 through 6, strike in their entirety the lines beginning with line 24 on page 1 through line 28 on page 6, inclusive, and substitute:

"**10–105.1.**

**(A) IN THIS SECTION, "PARTIAL EXPUNGEMENT" MEANS THE REMOVAL OF AN INDIVIDUAL CRIMINAL CHARGE FROM THE MARYLAND JUDICIARY PUBLIC CASE SEARCH WEBSITE.**

**(B) WHEN TWO OR MORE CHARGES ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS, AND ONE OR MORE OF THE CHARGES ARE NOT**

**ELIGIBLE FOR EXPUNGEMENT UNDER § 10–105 OF THIS SUBTITLE, A PERSON MAY FILE A PETITION UNDER THIS SECTION FOR PARTIAL EXPUNGEMENT OF THE OTHER CHARGE OR CHARGES IN THE UNIT THAT OTHERWISE WOULD BE ELIGIBLE FOR EXPUNGEMENT.**

**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PERSON SHALL FILE A PETITION IN THE COURT IN WHICH THE PROCEEDING BEGAN.**

**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF THE PROCEEDING BEGAN IN ONE COURT AND WAS TRANSFERRED TO ANOTHER COURT, THE PERSON SHALL FILE THE PETITION IN THE COURT TO WHICH THE PROCEEDING WAS TRANSFERRED.**

**(II) IF THE PROCEEDING BEGAN IN ONE COURT AND WAS TRANSFERRED TO THE JUVENILE COURT UNDER § 4–202 OR § 4–202.2 OF THIS ARTICLE, THE PERSON SHALL FILE THE PETITION IN THE COURT OF ORIGINAL JURISDICTION FROM WHICH THE ORDER OF TRANSFER WAS ENTERED.**

**(3) (I) IF THE PROCEEDING IN A COURT OF ORIGINAL JURISDICTION WAS APPEALED TO A COURT EXERCISING APPELLATE JURISDICTION, THE PERSON SHALL FILE THE PETITION IN THE APPELLATE COURT.**

**(II) THE APPELLATE COURT MAY REMAND THE MATTER TO THE COURT OF ORIGINAL JURISDICTION.**

**(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PETITION FOR PARTIAL EXPUNGEMENT BASED ON AN ACQUITTAL, A NOLLE PROSEQUI, OR A DISMISSAL MAY BE FILED IMMEDIATELY.**

**(2) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A PROBATION BEFORE JUDGMENT OR A STET WITH THE REQUIREMENT OF DRUG OR ALCOHOL ABUSE TREATMENT MAY NOT BE FILED EARLIER THAN THE LATER OF:**

**(I) THE DATE THE PETITIONER WAS DISCHARGED FROM PROBATION OR THE REQUIREMENTS OF OBTAINING DRUG OR ALCOHOL ABUSE TREATMENT WERE COMPLETED; OR**

**(II) 3 YEARS AFTER THE PROBATION WAS GRANTED OR STET WITH THE REQUIREMENT OF DRUG OR ALCOHOL ABUSE TREATMENT WAS ENTERED ON THE DOCKET.**

**(3) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A NOLLE PROSEQUI WITH THE REQUIREMENT OF DRUG OR ALCOHOL TREATMENT MAY NOT BE FILED UNTIL THE COMPLETION OF THE REQUIRED TREATMENT.**

**(4) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A FULL AND UNCONDITIONAL PARDON BY THE GOVERNOR MAY NOT BE FILED LATER THAN 10 YEARS AFTER THE PARDON WAS SIGNED BY THE GOVERNOR.**

**(5) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A STET OR A COMPROMISE UNDER § 3–207 OF THE CRIMINAL LAW ARTICLE MAY NOT BE FILED WITHIN 3 YEARS AFTER THE STET OR COMPROMISE.**

**(6) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON THE CONVICTION OF A CRIME UNDER § 10–105(A)(9) OF THIS SUBTITLE MAY NOT BE FILED WITHIN 3 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION, WHICHEVER IS LATER.**

**(7) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A FINDING OF NOT CRIMINALLY RESPONSIBLE UNDER § 10–105(A)(9) OR (10) OF THIS SUBTITLE MAY NOT BE FILED WITHIN 3 YEARS AFTER THE FINDING OF NOT CRIMINALLY RESPONSIBLE WAS MADE BY THE COURT.**

**(8) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON THE CONVICTION OF A CRIME UNDER § 10–105(A)(12) OF THIS SUBTITLE MAY NOT BE FILED WITHIN 4 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF**

**THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION, WHICHEVER IS LATER.**

**(9) A COURT MAY GRANT A PETITION FOR PARTIAL EXPUNGEMENT AT ANY TIME ON A SHOWING OF GOOD CAUSE.**

**(E) (1) THE COURT SHALL HAVE A COPY OF A PETITION FOR PARTIAL EXPUNGEMENT SERVED ON THE STATE'S ATTORNEY.**

**(2) UNLESS THE STATE'S ATTORNEY FILES AN OBJECTION TO THE PETITION FOR PARTIAL EXPUNGEMENT WITHIN 30 DAYS AFTER THE PETITION IS SERVED, THE COURT SHALL PASS AN ORDER REQUIRING THE PARTIAL EXPUNGEMENT OF THE CHARGE OR CHARGES.**

**(F) (1) IF THE STATE'S ATTORNEY FILES A TIMELY OBJECTION TO THE PETITION, THE COURT SHALL HOLD A HEARING.**

**(2) IF THE COURT AT THE HEARING FINDS THAT THE PERSON IS ENTITLED TO PARTIAL EXPUNGEMENT, THE COURT SHALL ORDER THE PARTIAL EXPUNGEMENT OF THE CHARGE OR CHARGES.**

**(3) IF THE COURT FINDS THAT THE PERSON IS NOT ENTITLED TO PARTIAL EXPUNGEMENT, THE COURT SHALL DENY THE PETITION.**

**(4) THE PERSON IS NOT ENTITLED TO PARTIAL EXPUNGEMENT IF:**

**(I) THE PETITION IS BASED ON THE ENTRY OF PROBATION BEFORE JUDGMENT, EXCEPT A PROBATION BEFORE JUDGMENT FOR A CRIME WHERE THE ACT ON WHICH THE CONVICTION IS BASED IS NO LONGER A CRIME, AND THE PERSON WITHIN 3 YEARS OF THE ENTRY OF THE PROBATION BEFORE JUDGMENT HAS BEEN CONVICTED OF A CRIME OTHER THAN A MINOR TRAFFIC VIOLATION OR A CRIME WHERE THE ACT ON WHICH THE CONVICTION IS BASED IS NO LONGER A CRIME; OR**

**(II) THE PERSON IS A DEFENDANT IN A PENDING CRIMINAL PROCEEDING.**

**(G) (1) THE STATE'S ATTORNEY IS A PARTY TO THE PROCEEDING.**

**(2) A PARTY AGGRIEVED BY THE DECISION OF THE COURT IS ENTITLED TO APPELLATE REVIEW AS PROVIDED IN THE COURTS ARTICLE.**

10–110.

(a) A person may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if the person is convicted of:

(1) a misdemeanor that is a violation of:

(ix) § 6–105, § 6–108, **§ 6–205 (FOURTH DEGREE BURGLARY),** § 6–206, § 6–303, § 6–306, § 6–307, § 6–402, or § 6–503 of the Criminal Law Article;".

AMENDMENT NO. 3

On page 6, before line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Section 1 of this Act is contingent on a determination by the State Court Administrator that the technical capabilities of the Judicial Information System and Case Search 2.0 are sufficient to comply with the requirements of Section 1 of this Act and funding for the required technical improvements is available in the State budget.

(b) The State Court Administrator shall notify the Department of Legislative Services and, in accordance with § 2–1246 of the State Government Article, the Senate Judicial Proceedings Committee and the House Judiciary Committee within 5 days after the State Court Administrator makes a determination that the contingencies under subsection (a) of this section have been satisfied.

(c) If notification under subsection (b) of this section is not made by October 1, 2021, the State Court Administrator shall issue a status report on October 1 and every 6 months thereafter until the contingencies under subsection (a) of this section have been satisfied.";

and strike in their entirety lines 29 and 30, and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect October 1, 2019.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 83 – Delegate Lafferty**

AN ACT concerning

**Action for Change of Name – Minors – Prohibition of Publication Requirement**

**HB0083/772611/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 83
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, strike "**A**" and substitute "**:**

**(1) A**";

in the same line, strike "**OR ADOPTIVE PARENT**" and substitute "**, ADOPTIVE, OR DE FACTO PARENT**"; and in line 18, after "**TERMINATED**" insert "**; OR**

**(2) ANY OTHER PERSON RECOGNIZED BY LAW AS A PARENT WHOSE PARENTAL RIGHTS HAVE NOT BEEN TERMINATED**".

AMENDMENT NO. 2

On page 2, in line 1, after "**(2)**" insert "**(I)**"; in the same line, after "**PARENT**" insert "**OR GUARDIAN OF THE MINOR**"; and in the same line, after the semicolon insert "**OR**

**(II) THE COURT FINDS THAT IT IS IN THE BEST INTEREST OF THE MINOR TO CONSIDER THE ACTION FOR A CHANGE OF NAME WITHOUT PUBLICATION OF NOTICE;**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 159 – The Speaker (By Request)**

AN ACT concerning

**Judgeships – Circuit Court and District Court**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 407 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Pretrial Release, Work Release, and Home Detention Programs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 665 – Delegates Lierman, Dumais, and Rosenberg**

AN ACT concerning

**Criminal Procedure – Family Law Services for Sustained Safety Fund**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 665
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "training;" insert "prohibiting a certain grantee from requesting that a certain individual waive certain rights for a certain purpose;"; and in line 13, after "Fund;" insert "providing for the construction of this Act;".

AMENDMENT NO. 2

On page 2, after line 6, insert:

"**(3) "CHILD ABUSE PROGRAM" MEANS AN ESTABLISHED NONPROFIT ORGANIZATION THAT:**

**(I) PROVIDES DIRECT SERVICES TO VICTIMS OF CHILD ABUSE; AND**

**(II) DOES NOT ACT AS AN AGENT OF LAW ENFORCEMENT OR AS AN AGENT OF ANY DEPARTMENT OF SOCIAL SERVICES.**";

in lines 7, 10, 12, 15, and 17, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively; in line 28, after "**PROGRAMS,**" insert "**CHILD ABUSE PROGRAMS,**"; in line 32, strike the first "**OR**" and substitute a comma; and in the same line, after the first "**PROGRAMS**" insert "**, OR CHILD ABUSE PROGRAMS**".

On page 3, in line 26, strike "**OR**"; and in the same line, after the second "**PROGRAM**" insert "**, OR CHILD ABUSE PROGRAM**".

On page 4, in lines 4 and 5, strike "**SHALL RECEIVE TRAINING REGARDING**"; in line 6, before "**THE**" insert "**SHALL RECEIVE TRAINING REGARDING**"; in line 7, strike "**AND**"; in line 8, before "**PROVIDING**" insert "**SHALL RECEIVE TRAINING REGARDING**"; in line 9, after "**SENSITIVITY**" insert "**; AND**

**(3)** **MAY NOT REQUEST THAT AN INDIVIDUAL WAIVE ANY RIGHTS PROTECTING CONFIDENTIAL OR PRIVILEGED ATTORNEY–CLIENT COMMUNICATIONS AS A CONDITION OF RECEIVING SERVICES**";

and after line 23, insert:

"**(3)** **THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE DISCRETION OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION, THE MARYLAND LEGAL SERVICES CORPORATION, OR ANY OTHER STATE AGENCY TO REDUCE OR MODIFY ANOTHER GRANT AWARD FOR REASONS UNRELATED TO THE RECEIPT OF A FAMILY LAW SERVICES FOR SUSTAINED SAFETY GRANT.**".

AMENDMENT NO. 3

On page 3, in line 13, strike "**$1,000,000**" and substitute "**$100,000**"; in line 27, after "**INCLUDE**" insert "**AT LEAST**"; in the same line, before "**FROM**" insert "**OF FUNDS**"; in line 28, before "**25%**" insert "**UP TO**"; in the same line, before "**FROM**" insert "**OF FUNDS**"; and in the same line, after "**FUNDING**" insert "**IF REQUESTED BY THE AWARD RECIPIENT AND NECESSARY TO HELP MEET FEDERAL MATCHING FUND REQUIREMENTS**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 734 – Delegates W. Fisher, Acevero, Cain, Cardin, Chang, Charles, Crosby, Crutchfield, Ivey, Kelly, Lierman, Moon, Mosby, and Washington**

AN ACT concerning

**Criminal Law – Labor Trafficking**
**(Anti–Exploitation Act of 2019)**

**HB0734/672211/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 734

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "coercion;" insert "prohibiting a person from knowingly aiding or conspiring with another to commit a certain violation of this Act;"; in the same line, after "Act;" insert "authorizing a certain State's Attorney or Attorney General to investigate and prosecute a violation of this Act; providing that the Attorney General has the same powers and duties of a certain State's Attorney if the Attorney General investigates and prosecutes a violation of this Act;"; and in line 12, strike "and 3–1102" and substitute "through 3–1103".

AMENDMENT NO. 2

On page 2, in line 8, after "**INCLUDES**" insert "**ACTUAL OR THREATENED**"; in line 9, strike "**USING OR THREATENING TO USE**" and substitute "**USE OF**"; in line 11, strike "**RESTRAINING, ABDUCTING, ISOLATING, OR CONFINING**" and substitute "**RESTRAINT, ABDUCTION, ISOLATION, OR CONFINEMENT OF**"; strike beginning with "**THREATENING**" in line 13 down through "**DIRECTING**" in line 15 and substitute "**CONTROL OR DIRECTION OF**"; in line 17, strike "**(5)**" and substitute "**(4)**"; in lines 17 and 18, strike "**DESTROYING, CONCEALING, REMOVING, CONFISCATING, WITHHOLDING, OR POSSESSING**" and substitute "**DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, WITHHOLDING, OR POSSESSION OF**"; in line 21, strike "**(6)**" and substitute "**(5)**"; in lines 21 and 22, strike "**CAUSING OR THREATENING TO CAUSE PSYCHOLOGICAL HARM TO AN INDIVIDUAL**" and substitute "**INFLICTION OF SERIOUS PSYCHOLOGICAL HARM TO AN INDIVIDUAL**"; in line 23, strike "**(7)**" and substitute "**(6)**"; in the same line, strike "**CONTROLLING OR THREATENING TO CONTROL**" and substitute "**CONTROL OF**"; in line 25, strike "**(8)**" and substitute "**(7)**"; in lines 25 and 26, strike "**EXPOSING OR DISSEMINATING OR THREATENING TO EXPOSE OR DISSEMINATE**" and substitute "**EXPOSURE OR DISSEMINATION OF**"; in line 28, strike "**(9)**" and substitute "**(8)**"; in the same line, strike "**THREATENING TO NOTIFY**" and substitute "**NOTIFICATION TO**"; and in line 30, after the semicolon insert "**AND**".

On page 3, strike in their entirety lines 1 through 10, inclusive, and substitute:

"**(9) EXPLOITATION OF A VULNERABLE ADULT.**";

strike in their entirety lines 23 through 28, inclusive, and substitute:

"**(E) "VULNERABLE ADULT" HAS THE MEANING STATED IN § 3–604 OF THIS ARTICLE.**".

On page 4, in line 7, after "**(B)**" insert "**A PERSON MAY NOT AID OR CONSPIRE WITH ANOTHER TO COMMIT A VIOLATION OF SUBSECTION (A) OF THIS SECTION.**

**(C)**";

and after line 9, insert:

"**3–1103.**

**(A) A STATE'S ATTORNEY OR THE ATTORNEY GENERAL MAY INVESTIGATE AND PROSECUTE A VIOLATION OF THIS SUBTITLE OR A VIOLATION OF ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SUBTITLE.**

**(B) IF THE ATTORNEY GENERAL EXERCISES AUTHORITY UNDER SUBSECTION (A) OF THIS SECTION, THE ATTORNEY GENERAL HAS ALL THE POWERS AND DUTIES OF A STATE'S ATTORNEY TO INVESTIGATE AND PROSECUTE THE VIOLATION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 787 – Delegates Atterbeary, Arikan, Barron, Bromwell, Cardin, Guyton, Hettleman, J. Lewis, Lierman, Luedtke, and McComas**

AN ACT concerning

**Crimes – Child Abuse and Neglect – Failure to Report**

**HB0787/782517/1**
BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 787
(First Reading File Bill)

On page 2, in line 4, after "**HAS**" insert "**ACTUAL**"; strike beginning with "**THE**" in line 5 down through "**(C)**" in line 9; and strike in their entirety lines 12 through 14, inclusive, and substitute:

"**(C) THIS SECTION APPLIES ONLY TO A FAILURE TO REPORT CHILD ABUSE OR NEGLECT THAT OCCURS DURING THE TIME THE CHILD IS A MINOR.**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 883 – Delegate Dumais**

AN ACT concerning

**Justice Reinvestment Act – Modifications**

**HB0883/382319/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 883
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after "membership" insert "of the advisory board"; and strike beginning with "altering" in line 20 down through "Board;" in line 21.

On page 2, in line 22, strike "9–3203(a)" and substitute "9–3207(e)"; and strike in their entirety lines 30 through 32, inclusive.

AMENDMENT NO. 2

On pages 15 through 17, strike in their entirety the lines beginning with line 30 on page 15 through line 9 on page 17, inclusive, and substitute:

"9–3207.

(e) (1) The Board shall establish an advisory board for the purpose of including stakeholders in the criminal justice system in the analysis of the implementation of justice reinvestment initiatives.

(2) The Executive Director of the Governor's Office of Crime Control and Prevention shall appoint members of the advisory board, subject to the approval of the chair of the Board.

(3) Members of the advisory board shall include:

(i) a representative of the exclusive representative of the employees of the Division of Parole and Probation;

(ii) a representative of the National Association for the Advancement of Colored People;

(iii) a representative of CASA de Maryland;

(iv) a representative of the American Civil Liberties Union;

(v) the chair of the Criminal Law and Practice Section of the Maryland State Bar Association or the chair's designee;

(vi) a representative of victims of domestic violence;

(vii) a representative of victims of sexual assault;

(viii) a representative with clinical experience and expertise in behavioral health and criminal justice;

(ix) a representative of the Maryland Retailers Association;

(x) a representative of an organization whose mission is to develop and advocate for policies and programs to increase the skills, job opportunities, and incomes of low–skill, low–income workers and job seekers;

(xi) a representative of an organization whose mission is to advocate for ex–offenders; **[**and**]**

(xii) a representative of the Maryland Chamber of Commerce**;**

**(XIII) A REPRESENTATIVE OF A COMMUNITY ADVOCACY ORGANIZATION APPOINTED BY THE PRESIDENT OF THE SENATE; AND**

**(XIV) A REPRESENTATIVE OF A COMMUNITY ADVOCACY ORGANIZATION APPOINTED BY THE SPEAKER OF THE HOUSE**.".

On pages 17 and 18, strike in their entirety the lines beginning with line 25 on page 17 through line 3 on page 18, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 10

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 244 – Garrett County Delegation**

AN ACT concerning

**Garrett County – Hotel Rental Tax – Rate and Distribution of Revenue**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 255 – Delegates Shoemaker, Adams, Buckel, Hornberger, Luedtke, Mangione, Patterson, Reilly, and Rose**

AN ACT concerning

**Public Schools – Agricultural Education Programs**

**HB0255/305867/1**
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 255
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Rose" and substitute "Rose, and Kerr".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 454 – Delegate Kipke**

AN ACT concerning

**Sales and Use Tax – List of Tangible Personal Property and Services – Publication**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 477 – Delegates Clark, Adams, Arikan, Beitzel, Boteler, Bromwell, Cassilly, Corderman, Cox, Crosby, Fennell, M. Fisher, Holmes, Hornberger, Jacobs, Krebs, Long, Luedtke, Malone, McComas, Metzgar, Morgan, Patterson, Pippy, Reilly, Saab, Shoemaker, Wilson, and Wivell**

AN ACT concerning

**Property Tax Credit – Public Safety Officer – Definition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 725** – **Delegates Charkoudian, Acevero, Atterbeary, Boyce, Cain, Carr, Conaway, Crutchfield, Ebersole, Feldmark, W. Fisher, Gilchrist, Hettleman, Ivey, Korman, R. Lewis, Lierman, Love, Luedtke, Moon, Mosby, Palakovich Carr, Qi, Queen, Reznik, Shetty, Smith, Solomon, Stewart, Terrasa, Washington, Wilkins, and P. Young**

AN ACT concerning

**Public Schools – Student Discipline – Restorative Approaches**

**HB0725/175562/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 725
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through the semicolon in line 7; in line 7, strike "conferences" and substitute "regulations"; strike beginning with "requiring" in line 8 down through the semicolon in line 11; in line 12, strike "certain terms" and substitute "a certain term"; and in line 16, strike "7–305 and".

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 22 on page 1 through line 21 on page 5, inclusive.

On page 7, strike in their entirety lines 4 through 20, inclusive; and in line 21, strike "**(F)**" and substitute "**(E)**".

On page 8, in line 1, strike "**(G)**" and substitute "**(F)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 809 – Delegates Palakovich Carr, Barve, Buckel, Cassilly, Gilchrist, Hornberger, Luedtke, Reilly, Rose, Shoemaker, and Smith**

EMERGENCY BILL

AN ACT concerning

**Sales and Use Tax – Taxable Services – Telephone Answering Service**

**HB0809/795264/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 809
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Smith" and substitute "Smith, Ivey, and Mosby".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 810 – Delegates Kelly, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Barve, Boyce, Branch, Bridges, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Charles, Corderman, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Jalisi, Johnson, Jones, Kaiser, Korman, Krimm, Lafferty, J. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Palakovich Carr, Pena–Melnyk, Qi, Queen, Reznik, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, R. Watson, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Income Tax – Child and Dependent Care Tax Credit – Alterations**

**HB0810/465962/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 810
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Boteler, Buckel, Rose, Reilly, Patterson, Hornberger, Walker, Washington, Long, Shoemaker, and Ivey".

AMENDMENT NO. 2

On page 2, in line 15, strike "**$110,000**" and substitute "**$92,000**"; in line 16, strike "**$141,000**" and substitute "**$143,000**"; in lines 18 and 20, in each instance, strike the bracket; in line 18, strike "**THE**"; and in line 20, strike "32.5%" and substitute "**32%**".

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 21 on page 2 through line 17 on page 3, inclusive.

On page 3, in lines 19 and 26, in each instance, strike the bracket; in lines 20 and 22, in each instance, strike "$41,000" and substitute "**$30,000**"; in lines 20 and 25, in each instance, strike "10%" and substitute "**1%**"; in line 21, in each instance, strike "$1,000" and substitute "**$2,000**"; in lines 24 and 26, in each instance, strike "$20,500" and substitute "**$50,000**"; and in lines 25 and 26, in each instance, strike "$500" and substitute "**$3,000**".

On page 3, in line 27, strike "**(D)**" and substitute "**(E)**".

On page 4, in lines 3, 4, 5, and 22, strike "**(E)**", "**(C)(1)(I)**", "**(D)**", and "**(F)**", respectively, and substitute "**(F)**", "**(B)**", "**(E)**", and "**(G)**", respectively; in line 3, strike "**(I)**"; and strike in their entirety lines 9 through 12, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1208 – Delegate Washington**

AN ACT concerning

**Board of Restorative Practices in Schools – Establishment**

**HB1208/545863/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1208
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Washington" and substitute "Delegates Washington, Walker, Smith, Guyton, Cain, Wilkins, Ebersole, Mosby, Turner, Ivey, Palakovich Carr, and Feldmark".

AMENDMENT NO. 2

On page 2, strike beginning with "**ONE**" in line 5 down through "**(3)**" in line 9; strike beginning with "**(4)**" in line 11 down through "**(5)**" in line 13 and substitute "**(2)**"; strike beginning with "**(6)**" in line 15 down through "**(9)**" in line 22 and substitute "**(3)**"; and in line 25, strike "**(10)**" and substitute "**(4)**".

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 19 on page 3, inclusive, and substitute:

"**(5) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, SELECTED BY THE PRESIDENT OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION;**

**(6) ONE REPRESENTATIVE OF THE MARYLAND STATE EDUCATION ASSOCIATION, SELECTED BY THE PRESIDENT OF THE MARYLAND STATE EDUCATION ASSOCIATION;**

**(7) ONE REPRESENTATIVE OF THE PUBLIC SCHOOLS SUPERINTENDENTS ASSOCIATION OF MARYLAND, SELECTED BY THE EXECUTIVE DIRECTOR OF THE PUBLIC SCHOOL SUPERINTENDENTS ASSOCIATION OF MARYLAND;**

**(8) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF STUDENT COUNCILS, SELECTED BY THE PRESIDENT OF THE MARYLAND ASSOCIATION OF STUDENT COUNCILS;**

**(9) ONE REPRESENTATIVE OF THE MARYLAND OFFICE OF THE PUBLIC DEFENDER, SELECTED BY THE MARYLAND PUBLIC DEFENDER;**

**(10) ONE REPRESENTATIVE OF COMMUNITY MEDIATION MARYLAND, SELECTED BY THE EXECUTIVE DIRECTOR OF COMMUNITY MEDIATION MARYLAND;**

**(11) ONE PARENT OF A STUDENT WITH DISABILITIES, SELECTED BY THE EXECUTIVE DIRECTOR OF THE ARC MARYLAND; AND**

**(12)**".

On page 3, in line 20, strike "**(20)**"; in line 21, strike "**PTA;**" and substitute "**PTA.**"; and strike in their entirety lines 22 through 27, inclusive.

On page 4, in lines 1 and 4, in each instance, strike "**CENTER FOR DISPUTE RESOLUTION**" and substitute "**MARYLAND EQUITY PROJECT**"; and in lines 2 and 5, in each instance, strike "**SCHOOL OF LAW**" and substitute "**COLLEGE OF EDUCATION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Haynes moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1209 – Delegate Kaiser**

AN ACT concerning

**Property Tax – Collection of Unpaid Taxes and Tax Sales**

**HB1209/625762/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1209
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kaiser" and substitute "Delegates Kaiser, Ebersole, Washington, Walker, Mosby, Ivey, Palakovich Carr, Feldmark, Wilkins, and Patterson"; strike beginning with "requiring" in line 22 down through "action;" in line 24; in line 25, strike "court;" and substitute "court and provide certain notice and a copy of a certain complaint to certain persons in a certain manner;"; in line 27, after "purposes;" insert "authorizing certain persons to redeem certain property in a certain manner under certain circumstances;"; and in line 30, after "finding;" insert "providing that a certain judgment is binding on certain persons; requiring that a certain judgment be recorded in certain land records; providing that title acquired in a certain sale of real property shall be an absolute or fee simple title except under certain circumstances;".

On page 2, in line 14, strike "requiring" and substitute "authorizing"; and after line 18, insert:

"BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 1–101(g) and (j)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 38, insert:

"1–101.

(g) "County" means a county of the State and, unless expressly provided otherwise, Baltimore City.

(j) (1) "Department" means the State Department of Assessments and Taxation.".

On page 6, in line 24, strike "**AT APPROPRIATE INTERVALS**" and substitute "**BY FIRST–CLASS MAIL AT LEAST 30 DAYS APART**"; and in line 30, after "**PLAN**" insert "**OF UP TO 60 MONTHS**".

AMENDMENT NO. 3

On page 7, in line 21, strike "**1 YEAR**" and substitute "**6 MONTHS**".

AMENDMENT NO. 4

On page 8, strike in their entirety lines 5 through 10, inclusive; and strike in their entirety lines 11 through 13, inclusive, and substitute:

"**(C) THE COUNTY OR MUNICIPAL CORPORATION SHALL:**

**(1) FILE THE COMPLAINT FOR AN IN REM FORECLOSURE IN THE CIRCUIT COURT OF THE COUNTY WHERE THE REAL PROPERTY IS LOCATED; AND**

**(2) WITHIN 5 DAYS AFTER FILING THE COMPLAINT FOR AN IN REM FORECLOSURE, SEND A NOTICE AND A COPY OF THE COMPLAINT TO ALL INTERESTED PARTIES BY:**

**(I) CERTIFIED MAIL; AND**

**(II) FIRST–CLASS MAIL.**".

AMENDMENT NO. 5

On page 9, after line 8, insert:

"**(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN INTERESTED PARTY HAS THE RIGHT TO REDEEM THE PROPERTY BY PAYING ALL TAXES DUE AT ANY TIME BEFORE THE ENTRY OF A FORECLOSURE JUDGMENT.**

**(2) THE RIGHT TO REDEEM THE PROPERTY TERMINATES WHEN THE CIRCUIT COURT ENTERS A FORECLOSURE JUDGMENT.**".

AMENDMENT NO. 6

On page 9, strike beginning with "**PROPER**" in line 18 down through "**TO**" in line 19 and substitute "**FORECLOSES THE EXISTING INTERESTS OF**"; and after line 21, insert:

"**(D) A JUDGMENT UNDER SUBSECTION (C) OF THIS SECTION IS BINDING AND CONCLUSIVE, REGARDLESS OF LEGAL DISABILITY, ON:**

**(1) ALL PERSONS, KNOWN AND UNKNOWN, WHO WERE PARTIES TO THE ACTION AND WHO HAD A CLAIM TO THE PROPERTY, WHETHER PRESENT OR FUTURE, VESTED OR CONTINGENT, LEGAL OR EQUITABLE, OR SEVERAL OR UNDIVIDED; AND**

**(2) ALL PERSONS WHO WERE NOT PARTIES TO THE ACTION AND HAD A CLAIM TO THE PROPERTY THAT WAS NOT RECORDED AT THE TIME THAT THE ACTION WAS COMMENCED.**

**(E) THE ENTRY OF A JUDGMENT UNDER SUBSECTION (C) OF THIS SECTION SHALL BE RECORDED IN THE LAND RECORDS OF THE COUNTY.**

**(F) THE TITLE ACQUIRED IN A SALE OF REAL PROPERTY UNDER § 14–877 OF THIS PART AFTER AN IN REM FORECLOSURE PROCEEDING SHALL BE AN ABSOLUTE OR FEE SIMPLE TITLE INCLUDING THE RIGHT, TITLE, AND INTEREST OF EACH OF THE DEFENDANTS IN THE PROCEEDING WHOSE PROPERTY HAS BEEN FORECLOSED UNLESS A DIFFERENT TITLE IS SPECIFIED IN THE JUDGMENT ENTERED.**".

AMENDMENT NO. 7

On page 12, in line 23, strike "shall" and substitute "may".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Cardin moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

## WAYS AND MEANS COMMITTEE REPORT NO. 13

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 577 – Delegates Shoemaker, Mosby, and Rose**

AN ACT concerning

**Election Law – County and Municipal Employee Service as Election Judge – Administrative Leave**

**HB0577/195461/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 577
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Municipal"; in line 4, strike "or municipal"; strike beginning with "or" in line 5 down through "corporation" in line 6; and in line 8, strike "and municipal".

AMENDMENT NO. 2

On page 1, in line 18, strike beginning with the first comma through "**MUNICIPAL**" and substitute "**OR COUNTY**"; and strike beginning with the first comma in line 19 down through "**CORPORATION**" in line 20 and substitute "**OR COUNTY**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1144 – Delegates Lehman, Pena–Melnyk, Acevero, B. Barnes, Barron, Boyce, Charkoudian, Charles, Fennell, W. Fisher, Hettleman, Ivey, Jackson, Moon, Palakovich Carr, Proctor, Rogers, Solomon, Stewart, Turner, Valentino–Smith, Washington, Wells, and K. Young**

AN ACT concerning

**County Boards of Education – Equal Access to Public Services for Individuals With Limited English Proficiency**

**HB1144/745161/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1144
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "changes" in line 6 and substitute "requiring county boards to take certain reasonable steps to provide equal access to public services for certain individuals with limited English proficiency"; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 7, inclusive, and substitute:

"**(A) EACH COUNTY BOARD SHALL TAKE REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.**

**(B) REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES UNDER SUBSECTION (A) OF THIS SECTION INCLUDE:**

**(1) THE PROVISION OF ORAL LANGUAGE SERVICES FOR PARENTS AND GUARDIANS WITH LIMITED ENGLISH PROFICIENCY, WHICH MUST BE THROUGH FACE–TO–FACE, IN–HOUSE ORAL LANGUAGE SERVICES IF IN–PERSON CONTACT IS ON A WEEKLY OR MORE FREQUENT BASIS; AND**

**(2) THE TRANSLATION OF VITAL DOCUMENTS ORDINARILY PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES 3% OF THE OVERALL POPULATION WITHIN THE COUNTY AS MEASURED BY THE UNITED STATES CENSUS.**".

On page 2, strike in their entirety lines 8 through 27, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 11

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 440 – Delegates Harrison, D. Barnes, Barron, Boyce, Bridges, Charles, D.E. Davis, D.M. Davis, Fennell, W. Fisher, Gaines, Holmes, Ivey, Jackson, Lehman, J. Lewis, Patterson, Proctor, Turner, Walker, Washington, R. Watson, and Wilkins**

AN ACT concerning

**Pathways in Technology Early College High (P–TECH) Expansion Act of 2019**

**HB0440/485769/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 440
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Kaiser, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Luedtke, Mosby, Palakovich Carr, Reilly, Rose, Shoemaker, and Smith"; strike beginning with "repealing" in line 3 down through "against" in line 5 and substitute "limiting the number of"; in line 6, strike "being awarded" and substitute "that may be awarded in a certain fiscal year"; in line 7, strike "repealing" and substitute "altering"; and in line 14, strike "repealing" and substitute "repealing and reenacting, with amendments,".

AMENDMENT NO. 2

On page 2, in lines 3, 5, 7, 9, 11, and 15, in each instance, strike the bracket; in line 7, strike "2019" and substitute "**2020**"; in the same line, after "no" insert "**MORE THAN THREE**"; in the same line, strike "Grant" and substitute "**GRANTS**"; and in line 13, strike "2017 or 2018" and substitute "**2020**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 12

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 48 – Delegates Grammer and Luedtke**

AN ACT concerning

**eSports Act**

**HB0048/555666/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 48
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Luedtke" and substitute ", Luedtke, Hornberger, Ivey, Palakovich Carr, Reilly, and Rose"; and strike beginning with "prohibiting" in line 5 down through "competition;" in line 6.

AMENDMENT NO. 2

On page 1, in line 21, after "**OTHER;**" insert "**AND**"; and strike in their entirety lines 22 and 23.

On page 2, in line 1, strike "**(3)**" and substitute "**(2)**".

AMENDMENT NO. 3

On page 2, in line 3, strike "**(1)**"; and strike in their entirety lines 6 through 8, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 80 – Cecil County Delegation**

AN ACT concerning

**Horse Racing at Fair Hill – Union Hospital Allocation – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 575 – Delegate Shoemaker**

EMERGENCY BILL

AN ACT concerning

**Carroll County – Gaming Events – Repeal of Sunday Prohibition**

**HB0575/385568/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 575
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; in the sponsor line, strike "Delegate Shoemaker" and substitute "Carroll County Delegation"; and in line 5, strike "making this Act an emergency measure;".

AMENDMENT NO. 2

On page 3, strike beginning with "is" in line 1 down through "enacted" in line 5 and substitute "shall take effect June 1, 2019".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 643 – Delegate Guyton**

AN ACT concerning

**Video Lottery Terminal Proceeds – Racetrack Facility Renewal Account – Racecourse at Timonium**

**HB0643/265566/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 643
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "beginning in a certain fiscal year" and substitute "in certain fiscal years"; and in line 9, after "provision;" insert "repealing a provision of law that authorizes the holder of a racing license to race at the racecourse at Timonium to use a certain amount of money to support a certain number of racing days;".

AMENDMENT NO. 2

On page 2, in line 32, strike "(1)"; and in the same line, strike "**FISCAL YEAR 2020 AND EACH FISCAL YEAR**" and substitute "**EACH OF FISCAL YEARS 2020 THROUGH 2024,**".

On page 3, in line 1, strike "**THEREAFTER,**"; in line 8, after "**EQUALS**" insert "**THE LESSER OF:**

**1.**";

and in line 11, after "**RACECOURSE**" insert "**; OR**

**2. $350,000**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 12 through 19, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1116 – Delegates Hettleman, McIntosh, Atterbeary, Bridges, Brooks, Crutchfield, Cullison, Ebersole, W. Fisher, Ghrist, Glenn, Haynes, Hill, Holmes, Hornberger, Jones, Kelly, Lierman, Queen, Sample–Hughes, Shetty, and Sydnor**

AN ACT concerning

**Gender Diversity in the Boardroom – Annual Report or Nonprofit Sales and Use Tax Exemption Application**

**HB1116/355065/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1116
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Sydnor" and substitute "Sydnor, Guyton, Cain, Wilkins, Patterson, Luedtke, Smith, Walker, Washington, Mosby, Turner, Ivey, Palakovich Carr, Feldmark, and Kaiser"; in lines 2 and 3, strike "or Nonprofit Sales and Use Tax Exemption Application"; strike beginning with "requiring" in line 5 down through "directors;" in line 8; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On page 2, in line 10, strike "2016" and substitute "2018"; in line 11, strike "14.4%" and substitute "16.8%"; and strike beginning with "and" in line 11 down through "State" in line 12.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 19 on page 4 through line 13 on page 5, inclusive.

AMENDMENT NO. 4

On page 5, in lines 29 and 30, strike "**PUBLICALLY–TRADED INSTITUTION OR COMPANY**" and substitute "**DOMESTIC STOCK CORPORATION OR DOMESTIC NONSTOCK CORPORATION**".

On page 6, in line 1, strike "**PERCENTAGE**" and substitute "**NUMBER**"; in line 2, strike "**MEMBERSHIP**" and substitute "**BOARD MEMBERS AND THE TOTAL NUMBER OF MEMBERS**"; in line 7, strike "or making an application"; and in line 8, strike "publically" and substitute "publicly".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB1116/943120/2**
BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 1116
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "directors;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 5, in line 29, after "**(C)**" insert "**(1) THIS SUBSECTION DOES NOT APPLY TO A PRIVATELY HELD COMPANY IF AT LEAST 75% OF THE COMPANY'S SHAREHOLDERS ARE FAMILY MEMBERS.**

**(2)**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1137 – Delegates Bhandari, Acevero, Arikan, Bagnall, Boteler, Brooks, Cain, Cardin, Conaway, W. Fisher, Grammer, Guyton, Hettleman, Hornberger, Ivey, Jalisi, Lafferty, Lehman, R. Lewis, Luedtke, Moon, Sample–Hughes, Solomon, Sydnor, Terrasa, Wilkins, and P. Young**

AN ACT concerning

**Task Force to Study the Home and Hospital Teaching Program for Students**

**HB1137/845668/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1137
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, and Ebersole"; strike line 2 in its entirety and substitute "Home and Hospital Teaching Program for Students – Report"; strike beginning with "establishing" in line 3 down through "date;" in line 9 and substitute "requiring the State Department of Education to study and make recommendations regarding certain matters relating to the Home and Hospital Teaching Program for Students; requiring the Department to report its findings to the Governor, the State Board of Education, and the General Assembly on or before a certain date;"; and in line 10, strike "the Task Force to Study".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 28 on page 2, inclusive, and substitute:

"(a) The State Department of Education shall:".

On page 3, in line 9, strike "the findings of the Task Force" and substitute "any statutory or regulatory changes to the Home and Hospital Teaching Program for Students";

in line 10, strike "(g)" and substitute "(b)"; and in the same line, strike "Task Force" and substitute "State Department of Education".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 11

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 727 – Delegates Dumais, Solomon, Branch, Chang, Glenn, Hill, Jackson, Korman, Krimm, J. Lewis, Patterson, and P. Young**

AN ACT concerning

**Public School Construction – Maryland Stadium Authority – Supplemental Funds**

**HB0727/664662/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 727
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Public School Construction – Maryland Stadium Authority – Supplemental Funds" and substitute "Build to Learn Act of 2019"; in line 4, after "of" insert "requiring, on or before a certain date, the Prince George's County government and the Prince George's County Board of Education to have a certain public–private partnership agreement reviewed by the Maryland Stadium Authority and approved by the Interagency Commission on School Construction in order for certain provisions of law to apply; requiring the Maryland Stadium Authority to deposit a certain amount into a certain fund under certain circumstances; requiring the Prince George's County government and the Prince George's County Board to deposit certain amounts required under a certain public–private partnership agreement into a certain fund under certain circumstances; requiring the Interagency Commission on School Construction to pay a certain private entity from a certain fund under certain circumstances; requiring the

Prince George's County government, the Prince George's County Board, and the Interagency Commission on School Construction to submit a certain report to the Governor and the fiscal committees of the General Assembly on or before a certain date each year; requiring the Interagency Commission on School Construction to complete a certain evaluation and to submit a report on a certain evaluation on or before a certain date; establishing the Prince George's County Public–Private Partnership Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Interagency Commission on School Construction 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 that the money in the Fund shall be used to supplement and may not supplant money appropriated to Prince George's County for public school construction under the Public School Construction Program; requiring the Interagency Commission on School Construction to adopt certain regulations; altering the eligibility requirements and the mandated appropriation for a certain capital grant program; providing that contracts to construct a public school facility or for construction on the public school site do not require the prior approval of the Board of Public Works;"; in line 12, after the semicolon insert "prohibiting the debt service for all outstanding bond issues related to improvements to public school facilities from exceeding a certain amount under certain circumstances;"; in line 20, strike "provide certain recommendations regarding" and substitute "approve"; in line 21, after "fund;" insert "requiring the Authority to complete a certain evaluation and requiring the Interagency Commission on School Construction to submit a report on a certain evaluation on or before a certain date; providing for the allocation of a certain percentage of bond proceeds under certain circumstances; providing for the reallocation of bond proceeds under certain circumstances; providing that the allocation of certain bond proceeds represents the State share of eligible public school construction costs; providing that for certain school systems eligible public school construction or capital improvement costs include planning costs under certain circumstances; providing that, at the discretion of the county government and the county board of education, the county board of education or the Authority may take certain actions related to public school facility projects; requiring the Authority and the Interagency Commission on School Construction to enter into a certain program memorandum of understanding before a public school facility project is approved for funding; requiring the Authority, the county government, and the county board of education to enter into a certain project memorandum of understanding before a public school facility project is approved for funding; providing that the provisions of a certain project memorandum of understanding prevail in certain circumstances;"; and in line 23, after "Construction" insert "Facilities".

On pages 1 and 2, strike beginning with "altering" in line 29 on page 1 down through "fund;" in line 1 on page 2 and substitute "requiring the Authority to deposit a certain amount into a certain fund under certain circumstances; establishing the Public School Facilities Priority Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Interagency Commission on School Construction 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; 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; repealing certain provisions of law;".

On page 2, in line 3, strike "a certain provision" and substitute "certain provisions"; after line 4, insert:

"BY adding to
Article – Education
Section 4–126.1, 4–126.2, and 5–324
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–303(a) and 5–313
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)";

in line 7, after "10–601," insert "10–618,"; in line 27, strike "and" and substitute a comma; in the same line, after "115." insert ", and 116."; and strike in their entirety lines 30 through 34, inclusive, and substitute:

"BY repealing
Article – Education
Section 5–206 and 5–317
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On pages 2 through 19, strike in their entirety the lines beginning with line 37 on page 2 through line 33 on page 19, inclusive, and substitute:

"Article – Education

**4–126.1.**

**(A) (1) IN THIS SECTION, "PUBLIC–PRIVATE PARTNERSHIP AGREEMENT" MEANS AN AGREEMENT IN WHICH A COUNTY GOVERNMENT AND A COUNTY BOARD OF EDUCATION CONTRACTS WITH A PRIVATE ENTITY FOR THE ACQUISITION, DESIGN, CONSTRUCTION, IMPROVEMENT, RENOVATION, EXPANSION, EQUIPPING, OR FINANCING OF A PUBLIC SCHOOL, AND MAY INCLUDE PROVISIONS FOR OPERATION AND MAINTENANCE OF A SCHOOL AND PROVISIONS FOR COOPERATIVE USE OF THE SCHOOL OR AN ADJACENT PROPERTY AND GENERATION OF REVENUE TO OFFSET THE COST OF CONSTRUCTION OR USE OF THE SCHOOL.**

**(B) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, § 4–126 OF THIS SUBTITLE APPLIES TO A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT ENTERED INTO IN ACCORDANCE WITH THIS SECTION.**

**(C) (1) THIS SECTION APPLIES ONLY IF, ON OR BEFORE JULY 1, 2020, THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD ENTER INTO A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT WITH A PRIVATE ENTITY TO ENHANCE THE DELIVERY OF PUBLIC SCHOOL CONSTRUCTION IN PRINCE GEORGE'S COUNTY.**

**(2) BEFORE ENTERING INTO A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT SHALL BE REVIEWED BY THE MARYLAND STADIUM AUTHORITY AND APPROVED BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION.**

**(D) (1) IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER THROUGH NO LATER THAN FISCAL YEAR 2050, IF THE PRINCE GEORGE'S COUNTY GOVERNMENT, THE PRINCE GEORGE'S COUNTY BOARD, AND THE PRIVATE ENTITY REMAIN IN THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION, THE MARYLAND STADIUM AUTHORITY SHALL DEPOSIT $25,000,000 FROM THE SUPPLEMENTAL PUBLIC SCHOOL**

**CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10–658 OF THE ECONOMIC DEVELOPMENT ARTICLE INTO THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND ESTABLISHED UNDER § 4–126.2 OF THIS SUBTITLE.**

**(2) TO RECEIVE FUNDING UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

**(I) THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD SHALL AGREE NOT TO RECEIVE REVENUE PROCEEDS FROM BONDS FOR A PUBLIC SCHOOL FACILITY ISSUED UNDER TITLE 10, SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

**(II) THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION SHALL INCLUDE:**

**1. A MINIMUM OF 10 SCHOOLS THAT WILL BE IMPROVED, CONSTRUCTED, OR RENOVATED AND OPERATED AND MAINTAINED UNDER THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT; AND**

**2. A COMMITMENT BY THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD TO PROVIDE THE LOCAL SHARE OF THE TOTAL AVAILABILITY PAYMENT.**

**(3) IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER THROUGH NO LATER THAN FISCAL YEAR 2050, IF THE PRINCE GEORGE'S COUNTY GOVERNMENT, THE PRINCE GEORGE'S COUNTY BOARD, AND THE PRIVATE ENTITY REMAIN IN THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION, THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD EACH SHALL DEPOSIT THE AVAILABILITY PAYMENT AMOUNT REQUIRED UNDER THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT INTO THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND ESTABLISHED UNDER § 4–126.2 OF THIS SUBTITLE.**

**(E) IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER THROUGH NO LATER THAN FISCAL YEAR 2050, IF THE PRINCE GEORGE'S COUNTY GOVERNMENT, THE PRINCE GEORGE'S COUNTY BOARD, AND THE PRIVATE ENTITY REMAIN IN THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION AND THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD DEPOSIT THE AVAILABILITY PAYMENT IN THE MANNER DESCRIBED UNDER SUBSECTION (D)(3) OF THIS SECTION, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL PAY THE PRIVATE ENTITY FROM THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND ESTABLISHED UNDER § 4–126.2 OF THIS SUBTITLE FOR THE AVAILABILITY PAYMENT REQUIRED UNDER THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT.**

**(F) ON JANUARY 15, 2021, AND EACH JANUARY 15 THEREAFTER, THE PRINCE GEORGE'S COUNTY GOVERNMENT, THE PRINCE GEORGE'S COUNTY BOARD, AND THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION JOINTLY SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY, ON THE PROGRESS OF CONSTRUCTION AND RENOVATIONS OF PUBLIC SCHOOL FACILITIES UNDER THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION, INCLUDING ACTIONS:**

**(1) TAKEN DURING THE PREVIOUS FISCAL YEAR; AND**

**(2) PLANNED FOR THE CURRENT FISCAL YEAR.**

**(G) (1) ON OR BEFORE JULY 1, 2025, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL COMPLETE A 5–YEAR EVALUATION OF THE EFFECTIVENESS OF THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION.**

**(2) ON OR BEFORE DECEMBER 31, 2025, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL SUBMIT A REPORT ON THE RESULTS OF THE EVALUATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE GOVERNOR, AND, IN ACCORDANCE WITH § 2–1246 OF THE**

**STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY.**

**4–126.2.**

**(A) IN THIS SECTION, "FUND" MEANS THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND.**

**(B) THERE IS A PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND.**

**(C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDS TO PAY A PRIVATE ENTITY FOR THE AVAILABILITY PAYMENT DUE UNDER THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP AGREEMENT ENTERED INTO IN ACCORDANCE WITH § 4–126.1 OF THIS SUBTITLE.**

**(D) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL ADMINISTER THE FUND.**

**(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(F) THE FUND CONSISTS OF:**

**(1) MONEY DEPOSITED INTO THE FUND BY THE PRINCE GEORGE'S COUNTY GOVERNMENT AND THE PRINCE GEORGE'S COUNTY BOARD;**

**(2) FUNDS TO BE DEPOSITED INTO THE FUND IN ACCORDANCE WITH § 10–658(C)(1)(III) OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

**(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

**(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.**

**(H) THE FUND MAY BE USED ONLY TO PAY AN AVAILABILITY PAYMENT TO A PRIVATE ENTITY UNDER THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT ENTERED INTO IN ACCORDANCE WITH § 4–126.1 OF THIS SUBTITLE.**

**(I) THE MONEY IN THE FUND SHALL BE USED TO SUPPLEMENT AND MAY NOT SUPPLANT MONEY APPROPRIATED TO PRINCE GEORGE'S COUNTY FOR PUBLIC SCHOOL CONSTRUCTION UNDER THE PUBLIC SCHOOL CONSTRUCTION PROGRAM ESTABLISHED IN TITLE 5, SUBTITLE 3 OF THIS ARTICLE.**

5–303.

(a) (1) (i) The Interagency Commission shall define by regulation what constitutes an eligible and ineligible public school construction or capital improvement cost.

(ii) **[**In**]** **EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, IN** order for the cost of an item or a system funded with the proceeds of general obligation bonds to be considered an eligible cost, it must have a median useful life of at least 15 years.

(2) (i) The Interagency Commission shall include modular construction as an approved public school construction or capital cost.

(ii) The Interagency Commission**[**,**]** shall adopt regulations that:

1. Define modular construction; and

2. Establish the minimum specifications required for approval of modular construction as a public school construction or capital improvement cost.

(3) The cost of acquiring land may not be considered a construction or capital improvement cost and may not be paid by the State.

**(4) THE INTERAGENCY COMMISSION SHALL ADOPT REGULATIONS THAT INCLUDE ARCHITECTURAL, ENGINEERING, CONSULTING, AND OTHER PLANNING COSTS AS ELIGIBLE PUBLIC SCHOOL CONSTRUCTION OR CAPITAL IMPROVEMENT COSTS FOR A PROJECT OR IMPROVEMENT THAT:**

**(I) IS LOCATED IN A COUNTY THAT HAS LESS THAN 20,000 FULL–TIME EQUIVALENT ENROLLMENT AS DEFINED IN § 5–202 OF THIS TITLE; AND**

**(II) HAS RECEIVED LOCAL PLANNING APPROVAL FROM THE INTERAGENCY COMMISSION.**

5–313.

(a) (1) In this section the following words have the meanings indicated.

(2) "Program" means the Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms.

(3) "Significant enrollment growth" means full–time equivalent enrollment growth in a local school system that has exceeded 150% of the statewide average over the past 5 years.

(4) "Significant number of relocatable classrooms" means an average of more than **[**300**]** **250** relocatable classrooms in a local school system over the past 5 years.

(b) (1) There is a Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms.

(2) The purpose of the Program is to provide grants for public school construction in local school systems that are experiencing significant enrollment growth or a significant number of relocatable classrooms.

(c) (1) The Program shall be implemented and administered by the Interagency Commission on School Construction in accordance with this section.

(2) Grants awarded by the Interagency Commission under the Program:

(i) Shall be matched by local funds equal to the required local cost–share established in accordance with § 5–303(d)(3) of this subtitle; and

(ii) Shall be approved by the Board of Public Works.

(d) The Interagency Commission shall:

(1) Provide grants from State funds dedicated for the Program to county boards for public school construction in local school systems that are experiencing significant enrollment growth or a significant number of relocatable classrooms;

(2) Develop a procedure for a county board to apply for a grant under the Program;

(3) Develop eligibility requirements for a county board to receive a grant under the Program, including a requirement for a county board to provide funds to match a grant award; and

(4) Develop a process to allocate grant awards under the Program that allocate funds based on each eligible county board's proportionate share of the total full–time equivalent enrollment of the county boards that are eligible to participate in the Program.

(e) In addition to the annual amount otherwise provided in the capital improvement program of the Public School Construction Program, the Governor annually shall provide an additional amount as follows in the **OPERATING BUDGET OR** capital improvement program of the Public School Construction Program that may be used only to award grants under the Program:

(1) In fiscal year 2016, $20,000,000; **[**and**]**

(2) In **EACH OF** fiscal **[**year**] YEARS** 2017 **[**and each fiscal year thereafter,**] THROUGH 2025,** $40,000,000**; AND**

**(3) IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, $80,000,000**.

(f) The State funding provided under the Program is supplemental to and is not intended to take the place of funding that would otherwise be appropriated for public

school construction purposes to a county board from any other source.

(g) The Interagency Commission shall adopt procedures necessary to implement this section.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

10–601.

(a) In this subtitle the following words have the meanings indicated.

(b) "Authority" means the Maryland Stadium Authority.

(c) "Authority affiliate" means a for–profit or nonprofit entity in which the Authority directly or indirectly owns any membership interest or equity interest.

(d) "Baltimore City" means, as the context requires:

(1) the geographic area of the City of Baltimore; or

(2) the Mayor and City Council of Baltimore.

(e) "Baltimore City Board of School Commissioners" means the Baltimore City Board of School Commissioners of the Baltimore City Public School System established under § 3–108.1 of the Education Article.

(f) "Baltimore City Public School Construction Facilities Fund" means the Baltimore City Public School Construction Facilities Fund established under § 10–657 of this subtitle.

(g) "Baltimore City Public School Construction Financing Fund" means the Baltimore City Public School Construction Financing Fund established under § 10–656 of this subtitle.

(h) "Baltimore City public school facility" means a property primarily used for educational instruction that:

(1) is held in trust by Baltimore City or the Baltimore City Board of School Commissioners for the benefit of the Baltimore City Public School System; and

(2) is designated for improvement under the memorandum of understanding between the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency **[**Committee**]** **COMMISSION** on School Construction entered into in accordance with § 10–646 of this subtitle.

(i) "Baltimore City public school site" means the site of any Baltimore City public school facility.

(j) (1) "Baltimore Convention facility" means:

(i) a convention center, trade show facility, meeting hall, or other structure in Baltimore City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, hotels, restaurants, railroad sidings, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) "Baltimore Convention facility" includes the following, if used, useful, or usable in the future as, or in connection with, a Baltimore Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights–of–way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to a Baltimore Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate a Baltimore Convention facility.

(k) "Baltimore Convention Fund" means the Baltimore Convention Financing Fund established under § 10–651 of this subtitle.

(l) "Baltimore Convention site" means the site of the Baltimore Convention

Center located in Baltimore City at the address generally known as 1 West Pratt Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 22, Section 01, Block 0682, Lots 001 and 001A.

(m) "Bond" includes a note, an interim certificate, refunding bond, and any other evidence of obligation issued under this subtitle.

(n) "Camden Yards" means the area comprising approximately 85 acres in Baltimore City bounded by Camden Street on the north, Russell Street on the west, Ostend Street on the south, and Howard Street and Interstate 395 on the east.

(o) "Camden Yards Fund" means the Camden Yards Financing Fund established under § 10–652 of this subtitle.

(p) "Convention facility" means the Baltimore Convention facility, the Montgomery County Conference facility, and the Ocean City Convention facility.

**(Q) (1) "COUNTY" MEANS, AS THE CONTEXT REQUIRES:**

**(I) THE GEOGRAPHIC AREA OF THE COUNTY; OR**

**(II) THE GOVERNING BODY OF THE COUNTY.**

**(2) "COUNTY" INCLUDES BALTIMORE CITY.**

**[**(q)**](R) "COUNTY BOARD OF EDUCATION" MEANS THE BOARD OF EDUCATION OF A COUNTY AND INCLUDES THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS.**

**(S)** "Facility" means:

(1) a structure or other improvement developed at Camden Yards;

(2) a convention facility;

(3) the Hippodrome Performing Arts facility;

(4) a sports facility; **[**or**]**

(5) a Baltimore City public school facility**; OR**

**(6) A PUBLIC SCHOOL FACILITY**.

**[**(r)**] (T)** "Governmental unit" means a county, a municipal corporation, a unit of State or local government, or any other public body created under State or local law.

**[**(s)**] (U)** (1) "Hippodrome Performing Arts facility" means the performing arts center facility located at the Hippodrome Performing Arts site.

(2) "Hippodrome Performing Arts facility" includes, at the Hippodrome Performing Arts site:

(i) the Hippodrome theater and offices;

(ii) food service facilities; and

(iii) any other functionally related property, structures, improvements, furnishings, or equipment.

**[**(t)**] (V)** "Hippodrome Performing Arts Fund" means the Hippodrome Performing Arts Financing Fund established under § 10–653 of this subtitle.

**[**(u)**] (W)** "Hippodrome Performing Arts site" means the site of the France–Merrick Performing Arts Center located in Baltimore City at the address generally known as:

(1) 12 North Eutaw Street Building, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 001; and

(2) 401 West Fayette Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 013.

**[**(v)**] (X)** "Improve" means to add, alter, construct, equip, expand, extend, improve, install, reconstruct, rehabilitate, remodel, or repair.

**[**(w)**] (Y)** "Improvement" means addition, alteration, construction, equipping, expansion, extension, improvement, installation, reconstruction, rehabilitation, remodeling, or repair.

**[**(x)**] (Z)** "Montgomery County" includes the Montgomery County Revenue Authority.

**[**(y)**] (AA)** (1) "Montgomery County Conference facility" means the Conference Center facility located at the Montgomery County Conference site used for conferences, trade shows, meetings, displays, or similar events.

(2) "Montgomery County Conference facility" includes, at the Montgomery County Conference site, offices, parking lots and garages, access roads, food service facilities, and other functionally related property, structures, improvements, furnishings, or equipment.

(3) "Montgomery County Conference facility" does not include the privately owned hotel adjacent to the Montgomery County Conference Center.

**[**(z)**] (BB)** "Montgomery County Conference Fund" means the Montgomery County Conference Financing Fund established under § 10–654 of this subtitle.

**[**(aa)**] (CC)** "Montgomery County Conference site" means the site of the Montgomery County Conference Center located in Rockville at the address generally known as 5701 Marinelli Road, identified in the State Department of Assessments and Taxation Real Property database as tax identification number District 04, Account Number 03392987.

**[**(bb)**] (DD)** (1) "Ocean City Convention facility" means:

(i) a convention center, trade show facility, meeting hall, or other structure in Ocean City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, food service facilities, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) "Ocean City Convention facility" includes the following, if used, useful,

or usable in the future as, or in connection with, an Ocean City Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights–of–way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to an Ocean City Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate an Ocean City Convention facility.

**[**(cc)**] (EE)** "Ocean City Convention Fund" means the Ocean City Convention Financing Fund established under § 10–655 of this subtitle.

**[**(dd)**] (FF)** "Ocean City Convention site" means the site of the Ocean City Convention Center located in Ocean City at the address generally known as 4001 Coastal Highway, identified in the State Department of Assessments and Taxation Real Property database as tax identification numbers District 10, Account Number 055237; District 10, Account Number 066301; District 10, Account Number 247942; and District 10, Account Number 280346.

**(GG) "PUBLIC SCHOOL FACILITY" MEANS A BUILDING, AND MAY INCLUDE A PARKING FACILITY, AN ATHLETIC FACILITY, OR ANY OTHER FACILITY RELATED TO EDUCATIONAL INSTRUCTION THAT:**

**(1) IS HELD IN TRUST BY A COUNTY BOARD OF EDUCATION, OR THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY, FOR THE BENEFIT OF THE COUNTY PUBLIC SCHOOL SYSTEM; AND**

**(2) IS DESIGNATED FOR IMPROVEMENT UNDER A MEMORANDUM OF UNDERSTANDING ENTERED INTO IN ACCORDANCE WITH § 10–650 OF THIS SUBTITLE.**

**(HH) "PUBLIC SCHOOL SITE" MEANS THE SITE OF ANY PUBLIC SCHOOL FACILITY IN THE STATE.**

**[**(ee)**] (II)** (1) "Sports facility" means:

(i) a stadium primarily for professional football, major league professional baseball, or both, in the Baltimore metropolitan region, as defined in § 13–301 of this article;

(ii) practice fields or other areas where professional football or major league professional baseball teams practice or perform; and

(iii) offices for professional football and major league professional baseball teams or franchises.

(2) "Sports facility" includes parking lots, garages, and any other property adjacent and directly related to an item listed in paragraph (1) of this subsection.

**(JJ) "SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND" MEANS THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10–658 OF THIS SUBTITLE.**

**(KK) "SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND" MEANS THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND ESTABLISHED UNDER § 10–658.1 OF THIS SUBTITLE.**

**[**(ff)**] (LL)** "Tax supported debt" has the meaning stated in § 8–104 of the State Finance and Procurement Article.

10–618.

(a) **(1) [**Contracts**] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, CONTRACTS** to acquire any facility site, to construct the facility, or for construction on the facility site require the prior approval of the Board of Public Works.

**(2) CONTRACTS TO CONSTRUCT A PUBLIC SCHOOL FACILITY OR FOR CONSTRUCTION ON THE PUBLIC SCHOOL SITE DO NOT REQUIRE THE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS.**

(b) The Authority may:

(1) acquire by any of the means specified in § 10–620(a) of this subtitle:

(i) a site at Camden Yards for a facility;

(ii) a Baltimore Convention site or an interest in the site;

(iii) an Ocean City Convention site or an interest in the site;

(iv) a Montgomery County Conference site or an interest in the site; and

(v) a Hippodrome Performing Arts site or an interest in the site; and

(2) construct or enter into a contract to construct a facility on a site it acquires under this subsection.

10–620.

(e) (1) This subsection does not apply to the Camden Yards site, Baltimore Convention site, Ocean City Convention site, Hippodrome Performing Arts site, **[**or**]** any Baltimore City public school site**, OR ANY PUBLIC SCHOOL SITE**.

(2) The Authority and any Authority affiliate is subject to applicable planning, zoning, and development regulations to the same extent as a private commercial or industrial enterprise.

(f) The Authority shall:

(1) in cooperation with Baltimore City, appoint a task force that includes residents and business and institutional representatives from the area adjacent to Camden Yards to review the schematic, preliminary, and final plans for facilities at Camden Yards;

(2) submit schematic plans for development of Camden Yards and the Baltimore Convention site to Baltimore City for review and comment before acquiring any property;

(3) with respect to Camden Yards, the Baltimore Convention facility, and the Hippodrome Performing Arts facility, submit preliminary and final plans to Baltimore City for review and comment;

(4) with respect to Camden Yards, the Baltimore Convention facility, and the Hippodrome Performing Arts facility, participate in the design review processes of Baltimore City; **[**and**]**

(5) with respect to a Baltimore City public school facility, perform the actions required under §§ 10–645, 10–646, 10–656, and 10–657 of this subtitle**; AND**

**(6) WITH RESPECT TO A PUBLIC SCHOOL FACILITY, PERFORM THE ACTIONS REQUIRED UNDER §§ 10–649, 10–650, 10–658, AND 10–658.1 OF THIS SUBTITLE**.

10–628.

(c) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds, whether taxable or tax exempt, that constitute tax supported debt or nontax supported debt if, after issuance, there would be outstanding and unpaid more than the following face amounts of the bonds for the purpose of financing acquisition, **IMPROVEMENTS INCLUDING** construction**[**,**]** **AND** renovation, and related expenses for construction management, professional fees, and contingencies in connection with:

(i) the Baltimore Convention facility – $55,000,000;

(ii) the Hippodrome Performing Arts facility – $20,250,000;

(iii) the Montgomery County Conference facility – $23,185,000;

(iv) the Ocean City Convention facility – $17,340,000; **[**and**]**

(v) Baltimore City public school facilities – $1,100,000,000**; AND**

**(VI) PUBLIC SCHOOL FACILITIES IN THE STATE – $2,200,000,000**.

10–634.

(a) A pledge by the Authority of revenues or money deposited in the Baltimore

City Public School Construction Financing Fund **OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND** as security for an issue of bonds is valid and binding from when the pledge is made.

(b) (1) The revenues or money deposited in the Baltimore City Public School Construction Financing Fund **OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND** that are pledged are immediately subject to the lien of the pledge without any physical delivery or further act.

(2) The lien of any pledge is valid and binding against any person having a claim against the Authority in tort, contract, or otherwise, regardless of whether the person has notice of the lien.

(c) Notwithstanding any other provision of law, in order to perfect a lien on pledged revenues or money deposited in the Baltimore City Public School Construction Financing Fund **OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND** against a third person, it is not necessary to file or record any document adopted or entered into by the Authority in any public record other than in the records of the Authority.

**10–649.**

**(A) (1) EXCEPT AS AGREED TO IN A MEMORANDUM OF UNDERSTANDING UNDER § 10–650 OF THIS SUBTITLE, THE AUTHORITY SHALL COMPLY WITH THIS SECTION AND § 5–303 OF THE EDUCATION ARTICLE TO FINANCE IMPROVEMENTS TO A PUBLIC SCHOOL FACILITY.**

**(2) THE AUTHORITY AND THE COUNTY BOARD OF EDUCATION, AS AGREED TO IN THE PROJECT MEMORANDUM OF UNDERSTANDING UNDER § 10–650 OF THIS SUBTITLE AND SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, SHALL BE RESPONSIBLE FOR SCHOOL FACILITIES CONSTRUCTION AND IMPROVEMENTS FINANCED WITH THE PROCEEDS OF BONDS ISSUED UNDER THIS SUBTITLE.**

**(3) (I) EXCEPT AS AGREED TO IN THE MEMORANDA OF UNDERSTANDING UNDER § 10–650 OF THIS SUBTITLE AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A POWER GRANTED TO THE AUTHORITY UNDER THIS SUBTITLE MAY NOT IN ANY WAY INTERFERE WITH THE ENUMERATED**

**POWERS OF A COUNTY BOARD OF EDUCATION UNDER TITLE 3 OF THE EDUCATION ARTICLE.**

**(II) THE POWERS OF THE COUNTY BOARD OF EDUCATION MAY NOT LIMIT THE ABILITY OF THE AUTHORITY TO CARRY OUT ITS OBLIGATIONS UNDER THIS SUBTITLE WITH RESPECT TO IMPROVEMENTS OF THE PUBLIC SCHOOL FACILITY AND THE FINANCING RELATED TO THE IMPROVEMENTS.**

**(B) (1) EXCEPT AS PROVIDED IN SUBSECTION (J)(1) OF THIS SECTION, THE AUTHORITY MAY NOT USE ANY CURRENT SOURCES OF FUNDS, WHETHER APPROPRIATED OR NONBUDGETED, TO PAY FOR ANY COSTS OR EXPENSES RELATED TO FINANCING PUBLIC SCHOOL FACILITIES.**

**(2) THE SOLE SOURCE OF PAYMENT FOR ANY COSTS OR EXPENSES RELATED TO FINANCING PUBLIC SCHOOL FACILITIES SHALL BE THE MONEY ON DEPOSIT IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND BOND PROCEEDS HELD UNDER A TRUST AGREEMENT.**

**(C) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF PUBLIC WORKS FOR EACH PUBLIC SCHOOL FACILITIES BOND ISSUE, THE AUTHORITY SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY WRITTEN NOTICE OF:**

**(1) THE AGGREGATE AMOUNT OF FUNDS NEEDED FOR THE PUBLIC SCHOOL FACILITIES TO BE FINANCED WITH THE PROPOSED BONDS;**

**(2) THE ANTICIPATED TOTAL DEBT SERVICE FOR THE PROPOSED BOND ISSUE; AND**

**(3) THE ANTICIPATED TOTAL DEBT SERVICE WHEN COMBINED WITH THE DEBT SERVICE FOR ALL PRIOR OUTSTANDING BOND ISSUES FOR PUBLIC SCHOOL FACILITIES.**

**(D) (1) A BOND ISSUED TO FINANCE IMPROVEMENTS, CONSTRUCTION, OR RENOVATIONS TO A PUBLIC SCHOOL FACILITY:**

**(I) IS A LIMITED OBLIGATION OF THE AUTHORITY PAYABLE SOLELY FROM MONEY PLEDGED BY THE AUTHORITY TO THE PAYMENT OF THE PRINCIPAL OF AND THE PREMIUM AND INTEREST ON THE BOND OR MONEY MADE AVAILABLE TO THE AUTHORITY FOR THAT PURPOSE;**

**(II) IS NOT A DEBT, LIABILITY, OR PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE STATE, THE AUTHORITY, OR ANY OTHER GOVERNMENTAL UNIT; AND**

**(III) MAY NOT GIVE RISE TO ANY PECUNIARY LIABILITY OF THE STATE, THE AUTHORITY, OR ANY OTHER GOVERNMENTAL UNIT.**

**(2) THE ISSUANCE OF A BOND TO FINANCE IMPROVEMENTS TO A PUBLIC SCHOOL FACILITY IS NOT DIRECTLY, INDIRECTLY, OR CONTINGENTLY A MORAL OR OTHER OBLIGATION OF THE STATE, THE AUTHORITY, OR ANY OTHER GOVERNMENTAL UNIT TO LEVY OR PLEDGE ANY TAX OR TO MAKE AN APPROPRIATION TO PAY THE BOND.**

**(3) EACH BOND SHALL STATE ON ITS FACE THE PROVISIONS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.**

**(E) BEFORE EACH ISSUANCE OF BONDS TO FINANCE IMPROVEMENTS TO A PUBLIC SCHOOL FACILITY, THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE AGGREGATE AMOUNT OF THE PROPOSED BOND ISSUE.**

**(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE TOTAL DEBT SERVICE FOR ANY BOND ISSUE, WHEN ADDED TO ALL PRIOR OUTSTANDING BOND ISSUES RELATED TO IMPROVEMENTS TO PUBLIC SCHOOL FACILITIES, MAY NOT EXCEED THE TOTAL AMOUNT OF THE FUNDS PROVIDED UNDER SUBSECTION (G) OF THIS SECTION.**

**(2) IF PRINCE GEORGE'S COUNTY ENTERS INTO A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER § 4–126.1 OF THE EDUCATION ARTICLE, THEN THE TOTAL DEBT SERVICE FOR ALL BOND ISSUES MAY NOT EXCEED $100,000,000.**

**(G) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, BEGINNING JULY 1, 2020, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, THE COMPTROLLER SHALL DEPOSIT INTO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND $125,000,000 OF THE FUNDS IN THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9–1A–30 OF THE STATE GOVERNMENT ARTICLE.**

**(H) (1) IF THE MONEY DEPOSITED INTO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION IS NOT NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER THOSE FUNDS TO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(2) IF FUNDS ARE NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER MONEY IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.**

**(I) IF A COUNTY AND COUNTY BOARD OF EDUCATION CHOOSE TO HAVE THE AUTHORITY CONTRACT, MANAGE, AND OVERSEE PUBLIC SCHOOL FACILITY PROJECTS FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THEN THE COUNTY BOARD OF EDUCATION SHALL:**

**(1) DELIVER TO THE AUTHORITY BUILDABLE SITES, READY FOR IMPROVEMENT AND FREE FROM ANY RESTRICTIONS, EASEMENTS, IMPEDIMENTS, HAZARDS, OR CONDITIONS THAT WOULD AFFECT THE AUTHORITY'S SCHEDULE OR BUDGET FOR THE IMPROVEMENT TO A PUBLIC SCHOOL FACILITY;**

**(2) DELIVER TO THE AUTHORITY A PUBLIC SCHOOL FACILITY WITH TITLE THAT HAS VESTED IN THE COUNTY BOARD OF EDUCATION OR IN AN ENTITY APPROVED BY THE COUNTY BOARD OF EDUCATION OTHER THAN THE AUTHORITY; AND**

**(3) ENSURE THAT NO PUBLIC SCHOOL FACILITY IS SOLD, ASSIGNED, MORTGAGED, PLEDGED, OR ENCUMBERED WITHOUT THE CONSENT OF THE AUTHORITY IF THERE ARE PROCEEDS OF BONDS STILL OUTSTANDING OR UNPAID THAT WERE USED IN THE CONSTRUCTION OF OR RENOVATIONS TO THE PUBLIC SCHOOL FACILITY.**

**(J) (1) BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A PUBLIC SCHOOL FACILITY, THE AUTHORITY MAY PAY FOR ANY COSTS OF START–UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS OF THE AUTHORITY OR COSTS OF ENGINEERING, ARCHITECTURAL, AND OTHER DESIGN PROFESSIONALS.**

**(2) BEFORE THE AVAILABILITY OF FUNDS FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THE AUTHORITY SHALL BE ENTITLED TO REIMBURSEMENT FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND FOR ANY COSTS INCURRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(K) ON JANUARY 15, 2021, AND EACH JANUARY 15 THEREAFTER, THE AUTHORITY SHALL REPORT TO THE GOVERNOR, THE BOARD OF PUBLIC WORKS, AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY ON THE PROGRESS OF CONSTRUCTION AND RENOVATIONS OF PUBLIC SCHOOL FACILITIES, INCLUDING ACTIONS:**

**(1) TAKEN DURING THE PREVIOUS FISCAL YEAR; AND**

**(2) PLANNED FOR THE CURRENT FISCAL YEAR.**

**(L) (1) ON OR BEFORE JULY 1, 2030, THE AUTHORITY SHALL COMPLETE A 10–YEAR EVALUATION OF THE EFFECTIVENESS OF THE ISSUANCE OF BONDS TO FINANCE CONSTRUCTION AND RENOVATIONS OF PUBLIC SCHOOL FACILITIES.**

**(2) ON OR BEFORE DECEMBER 31, 2030, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL SUBMIT A REPORT ON THE RESULTS OF THE EVALUATION REQUIRED UNDER PARAGRAPH (1) OF THIS**

**SUBSECTION TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY.**

**10–650.**

**(A) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL, IN ACCORDANCE WITH THE PROCESS ESTABLISHED IN § 5–304 OF THE EDUCATION ARTICLE, APPROVE PUBLIC SCHOOL FACILITY PROJECTS TO BE FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A PERCENTAGE OF THE PROCEEDS OF THE BONDS AUTHORIZED IN § 10–628 OF THIS SUBTITLE SHALL BE ALLOCATED TO PROJECTS APPROVED BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION IN THE FOLLOWING AMOUNTS:**

**(I) ANNE ARUNDEL COUNTY – 11.4%;**

**(II) BALTIMORE CITY – 18.2%;**

**(III) BALTIMORE COUNTY – 18.2%;**

**(IV) FREDERICK COUNTY – 3.4%;**

**(V) HOWARD COUNTY – 4.5%;**

**(VI) MONTGOMERY COUNTY – 18.2%;**

**(VII) PRINCE GEORGE'S COUNTY – 18.2%; AND**

**(VIII) ALL OTHER COUNTIES – 7.9%.**

**(2) THE PERCENTAGE OF BOND PROCEEDS SPECIFIED FOR BALTIMORE CITY UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A PROJECT AT A SCHOOL WITHIN AN AREA DESIGNATED FOR GRANT FUNDING**

**THROUGH THE CHOICE NEIGHBORHOOD PROGRAM ADMINISTERED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND COORDINATED LOCALLY BY THE HOUSING AUTHORITY OF BALTIMORE CITY IN AN AMOUNT EQUAL TO NOT MORE THAN 5% OF THE TOTAL ALLOCATION FOR BALTIMORE CITY.**

**(3) THE PERCENTAGE OF BOND PROCEEDS SPECIFIED FOR PRINCE GEORGE'S COUNTY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE ALLOCATED ONLY IF PRINCE GEORGE'S COUNTY DOES NOT ENTER INTO A PUBLIC–PRIVATE PARTNERSHIP AS AUTHORIZED UNDER § 4–126.1 OF THE EDUCATION ARTICLE.**

**(4) ANY ALLOCATIONS NOT UTILIZED BY A COUNTY OR COUNTY BOARD OF EDUCATION WITHIN 10 YEARS AFTER THE ALLOCATION SHALL BE SUBJECT TO REALLOCATION.**

**(C) THE ALLOCATION OF BOND PROCEEDS AUTHORIZED IN § 10–628 OF THIS SUBTITLE REPRESENTS THE STATE SHARE OF ELIGIBLE PUBLIC SCHOOL CONSTRUCTION OR CAPITAL IMPROVEMENT COSTS AS ESTABLISHED BY REGULATION IN ACCORDANCE WITH § 5–303 OF THE EDUCATION ARTICLE.**

**(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT THE DISCRETION OF THE COUNTY AND THE COUNTY BOARD OF EDUCATION, THE COUNTY BOARD OF EDUCATION OR THE AUTHORITY SHALL CONTRACT, MANAGE, AND OVERSEE PUBLIC SCHOOL FACILITY PROJECTS FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(2) IN BALTIMORE CITY, THE AUTHORITY SHALL CONTRACT, MANAGE, AND OVERSEE PUBLIC SCHOOL FACILITY PROJECTS FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(3) IF THE COUNTY BOARD OF EDUCATION CHOOSES TO CONTRACT, MANAGE, AND OVERSEE A PUBLIC SCHOOL FACILITY PROJECT FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THEN THE**

**PUBLIC SCHOOL FACILITY PROJECT SHALL BE SUBJECT TO THE SAME REQUIREMENTS AND PROCEDURES THAT GOVERN THE PUBLIC SCHOOL CONSTRUCTION PROGRAM.**

**(E) (1) BEFORE A PUBLIC SCHOOL FACILITY PROJECT IS APPROVED FOR FUNDING FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THE AUTHORITY AND THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL ENTER INTO A PROGRAM MEMORANDUM OF UNDERSTANDING.**

**(2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE PROGRAM MEMORANDUM OF UNDERSTANDING UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:**

**(I) AUTHORIZE THE AUTHORITY TO REVIEW AND APPROVE PROJECT BUDGETS;**

**(II) PROVIDE FOR THE AUTHORITY'S RIGHT TO ASSUME A PROJECT UNDERTAKEN UNDER CERTAIN CIRCUMSTANCES;**

**(III) NOTWITHSTANDING THE PROVISIONS UNDER SUBSECTION (D) OF THIS SECTION, PROVIDE FOR THE AUTHORITY REVIEW AND COMMENT OF PROJECT BUDGETS;**

**(IV) PROVIDE, GENERALLY, FOR THE ORDER AND CONTROL OF ALL FUNDING FOR PUBLIC SCHOOL FACILITY CONSTRUCTION PROJECTS UNDER THIS SUBTITLE; AND**

**(V) AUTHORIZE THE AUTHORITY TO MAKE FINAL DECISIONS INVOLVING DISPUTES THAT MAY IMPACT ANY AUTHORITY OBLIGATIONS UNDER THIS SUBTITLE.**

**(3) IF THE COUNTY BOARD OF EDUCATION CHOOSES TO CONTRACT, MANAGE, AND OVERSEE PUBLIC SCHOOL FACILITY PROJECTS FUNDED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND THE**

**SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THEN THE PROGRAM MEMORANDUM OF UNDERSTANDING MAY NOT INCLUDE THE PROVISIONS UNDER PARAGRAPH (2)(I) AND (II) OF THIS SUBSECTION.**

**(F) (1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, BEFORE A PUBLIC SCHOOL FACILITY PROJECT IS APPROVED FOR FUNDING FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND, THE AUTHORITY, THE COUNTY, AND THE COUNTY BOARD OF EDUCATION SHALL ENTER INTO A PROJECT MEMORANDUM OF UNDERSTANDING THAT SHALL BE SUBJECT TO APPROVAL BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION.**

**(II) THE PROJECT MEMORANDUM OF UNDERSTANDING REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:**

**1. BE SUBJECT TO THE APPLICABLE TERMS AND CONDITIONS SET FORTH IN THE PROGRAM MEMORANDUM OF UNDERSTANDING UNDER SUBSECTION (E)(2) OF THIS SECTION;**

**2. IDENTIFY SPECIFIC PARAMETERS REGARDING THE ROLES AND RESPONSIBILITIES OF EACH PARTY WITH RESPECT TO BUDGET REVIEW AND APPROVAL, PROCUREMENT, DESIGN, SCHEDULE, CONSTRUCTION ADMINISTRATION, AND CONTRACT COMPLIANCE AND REPORTING;**

**3. RESERVE THE RIGHT OF THE AUTHORITY TO ASSUME A PROJECT UNDER CERTAIN CIRCUMSTANCES;**

**4. INCLUDE A PROVISION THAT THE STATE AND LOCAL COST–SHARE FOR THE COUNTY ESTABLISHED IN REGULATIONS SHALL APPLY TO A COUNTY PUBLIC SCHOOL FACILITY APPROVED FOR FUNDING FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND OR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND**

**5. REQUIRE THE COUNTY BOARD OF EDUCATION TO GIVE PRIORITY IN FUNDING PROJECTS TO SCHOOLS:**

**A. THAT ARE THE OLDEST BUILDINGS IN THE SCHOOL SYSTEM WITH SIGNIFICANT FACILITY DEFICIENCIES;**

**B. WITH HIGH CONCENTRATIONS OF STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE MEALS; OR**

**C. WITH A HIGH NUMBER OF RELOCATABLE CLASSROOMS.**

**(2) FOR BALTIMORE CITY, IF A PROVISION OF THE MEMORANDUM OF UNDERSTANDING ENTERED INTO IN ACCORDANCE WITH § 10–646 OF THIS SUBTITLE CONFLICTS WITH A PROVISION OF THE PROJECT MEMORANDUM OF UNDERSTANDING, THE PROVISION OF THE PROJECT MEMORANDUM OF UNDERSTANDING SHALL PREVAIL.**

**10–658.**

**(A) THERE IS A SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.**

**(B) (1) THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE TO IMPLEMENT THIS SUBTITLE CONCERNING PUBLIC SCHOOL FACILITIES.**

**(2) THE AUTHORITY SHALL:**

**(I) USE THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING PUBLIC SCHOOL FACILITIES;**

**(II) PAY ANY AND ALL EXPENSES FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY PUBLIC SCHOOL FACILITIES; AND**

**(III) IF PRINCE GEORGE'S COUNTY HAS A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER § 4–126.1 OF THE EDUCATION ARTICLE, BEGINNING IN FISCAL YEAR 2021, DEPOSIT INTO THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND ESTABLISHED UNDER § 4–126.2 OF THE EDUCATION ARTICLE AN AMOUNT EQUAL TO $25,000,000 IN EACH FISCAL YEAR THAT PRINCE GEORGE'S COUNTY, THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION, AND THE PRIVATE ENTITY REMAIN IN THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER § 4–126.1 OF THE EDUCATION ARTICLE, UNTIL NOT LATER THAN FISCAL YEAR 2050.**

**(C) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY, THE MONEY ON DEPOSIT IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND SHALL BE PLEDGED TO AND USED TO PAY THE FOLLOWING RELATING TO PUBLIC SCHOOL FACILITIES:**

**(I) DEBT SERVICE ON AUTHORITY BONDS;**

**(II) DEBT SERVICE RESERVES UNDER A TRUST AGREEMENT;**

**(III) IF PRINCE GEORGE'S COUNTY HAS A PUBLIC–PRIVATE PARTNERSHIP APPROVED BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION UNDER § 4–126.1 OF THE EDUCATION ARTICLE, BEGINNING IN FISCAL YEAR 2021, DEPOSITS MADE INTO THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND ESTABLISHED UNDER § 4–126.2 OF THE EDUCATION ARTICLE AN AMOUNT EQUAL TO $25,000,000 IN EACH FISCAL YEAR THAT PRINCE GEORGE'S COUNTY, THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION, AND THE PRIVATE ENTITY REMAIN IN THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER § 4–126.1 OF THE EDUCATION ARTICLE, UNTIL NOT LATER THAN FISCAL YEAR 2050;**

**(IV) ALL REASONABLE CHARGES AND EXPENSES RELATED TO AUTHORITY BORROWING; AND**

**(V) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S**

**OBLIGATIONS.**

**(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10–634 OF THIS SUBTITLE AND ANY APPLICABLE AUTHORITY RESOLUTION.**

**(D) THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND CONSISTS OF:**

**(1) MONEY DEPOSITED INTO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND;**

**(2) TO THE EXTENT THAT THE PROCEEDS ARE NOT UNDER A TRUST AGREEMENT, PROCEEDS FROM THE SALE OF BONDS CONCERNING PUBLIC SCHOOL FACILITIES;**

**(3) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER THIS SUBTITLE RELATED TO PUBLIC SCHOOL FACILITY PROJECTS;**

**(4) ANY INTEREST EARNINGS OF THE FUND; AND**

**(5) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.**

**(E) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN THE SAME MANNER AS OTHER STATE FUNDS.**

**(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.**

**(3) NO PART OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.**

**(F) THE MONEY IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION**

**FINANCING FUND SHALL BE USED TO SUPPLEMENT, AND MAY NOT SUPPLANT, MONEY APPROPRIATED TO THE PUBLIC SCHOOL CONSTRUCTION PROGRAM ESTABLISHED IN TITLE 5, SUBTITLE 3 OF THE EDUCATION ARTICLE.**

**10–658.1.**

**(A) THERE IS A SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(B) (1) THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE TO IMPLEMENT THIS SUBTITLE CONCERNING PUBLIC SCHOOL FACILITIES.**

**(2) THE AUTHORITY SHALL:**

**(I) USE THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING PUBLIC SCHOOL FACILITIES; AND**

**(II) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, PAY ANY AND ALL EXPENSES FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY PUBLIC SCHOOL FACILITIES.**

**(C) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY, THE MONEY ON DEPOSIT IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND SHALL BE USED TO PAY THE FOLLOWING RELATING TO PUBLIC SCHOOL FACILITIES:**

**(1) DEBT SERVICE ON AUTHORITY BONDS;**

**(2) DESIGN AND CONSTRUCTION COSTS RELATED TO PUBLIC SCHOOL FACILITIES;**

**(3) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, COSTS OF**

**START–UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS RELATED TO THE MANAGEMENT OF IMPROVEMENTS TO PUBLIC SCHOOL FACILITIES AUTHORIZED UNDER THIS SUBTITLE;**

**(4) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS; AND**

**(5) IF PRINCE GEORGE'S COUNTY SUBMITS A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT TO THE AUTHORITY FOR REVIEW UNDER § 4–126.1 OF THE EDUCATION ARTICLE, ALL REASONABLE EXPENSES RELATED TO THE AUTHORITY'S REVIEW OF THE PUBLIC–PRIVATE PARTNERSHIP AGREEMENT.**

**(D) THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND CONSISTS OF:**

**(1) FUNDS TRANSFERRED FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND TO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN ACCORDANCE WITH § 10–649 OF THIS SUBTITLE;**

**(2) ANY INTEREST EARNINGS OF THE FUND; AND**

**(3) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(E) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN THE SAME MANNER AS OTHER STATE FUNDS.**

**(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.**

**(3) NO PART OF THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.**

**(F) THE MONEY IN THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND SHALL BE USED TO SUPPLEMENT, AND MAY NOT SUPPLANT, MONEY APPROPRIATED TO THE PUBLIC SCHOOL CONSTRUCTION PROGRAM ESTABLISHED IN TITLE 5, SUBTITLE 3 OF THE EDUCATION ARTICLE.**

**[**10–658.**] 10–659.**

This subtitle may be cited as the Maryland Stadium Authority Act.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

112. the Pretrial Services Program Grant Fund; **[**and**]**

113. the Veteran Employment and Transition Success Fund**;**

**114. THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND;**

**115. THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND; AND**

**116. THE PRINCE GEORGE'S COUNTY PUBLIC–PRIVATE PARTNERSHIP FUND.**

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

**5–324.**

**(A) IN THIS SECTION, "FUND" MEANS THE PUBLIC SCHOOL FACILITIES PRIORITY FUND.**

**(B) THERE IS A PUBLIC SCHOOL FACILITIES PRIORITY FUND.**

**(C) THE PURPOSE OF THE FUND IS TO PROVIDE STATE FUNDS TO ADDRESS THE FACILITY NEEDS OF THE HIGHEST PRIORITY SCHOOLS AROUND THE STATE AS IDENTIFIED BY THE STATEWIDE FACILITIES ASSESSMENT COMPLETED BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION UNDER § 5–310(E) OF THIS SUBTITLE.**

**(D) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL ADMINISTER THE FUND.**

**(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(F) THE FUND CONSISTS OF:**

**(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

**(2) ANY INTEREST EARNINGS OF THE FUND; AND**

**(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(G) THE FUND MAY BE USED ONLY FOR THE PURPOSE ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.**

**(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

**(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.**

**(I) (1) IN FISCAL YEARS 2022 THROUGH 2025, THE GOVERNOR SHALL APPROPRIATE IN THE ANNUAL STATE OPERATING OR CAPITAL BUDGET BILL AT LEAST $40,000,000 TO THE FUND.**

**(2) IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL APPROPRIATE IN THE ANNUAL STATE OPERATING OR CAPITAL BUDGET BILL AT LEAST $80,000,000 TO THE FUND.**

**(J) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

**(K) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED IN THE ANNUAL STATE OPERATING OR CAPITAL BUDGET BILL TO PRIMARY AND SECONDARY SCHOOLS UNDER THIS ARTICLE.**

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to

receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

112. the Pretrial Services Program Grant Fund; **[**and**]**

113. the Veteran Employment and Transition Success Fund**; AND**

**114. THE PUBLIC SCHOOL FACILITIES PRIORITY FUND**.

SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 5–206 and 5–317 of Article – Education of the Annotated Code of Maryland be repealed.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that funding for the Aging Schools Program and the School Safety Grant Program shall be consolidated into the Public School Facilities Priority Fund established in Section 3 of this Act beginning in fiscal year 2026.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2021.

SECTION 7. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2025.

SECTION 8. AND BE IT FURTHER ENACTED, That, except as provided in Sections 6 and 7 of this Act, this Act shall take effect July 1, 2019.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for Saturday.

The motion was adopted.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 14

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 698 – Delegates Stein and Lisanti**

AN ACT concerning

**Vehicle Laws – Manufacturers and Dealers – Compensation for Dealer Services**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 8

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 145 – Delegates K. Young, Bagnall, Barron, Bhandari, Brooks, Cullison, Dumais, Fraser–Hidalgo, Healey, Hill, Jalisi, Jones, Kelly, Kerr, Kipke, Korman, R. Lewis, Lierman, Lisanti, McIntosh, Metzgar, Sample–Hughes, Shetty, and P. Young**

AN ACT concerning

**Hospitals – Patient's Bill of Rights**

**HB0145/556389/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 145
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Pendergrass, Pena–Melnyk, Carr, Charles, Johnson, Krebs, Rosenberg, and Szeliga"; in line 8, after "patients" insert "and visitors"; and in line 14, strike "each year".

AMENDMENT NO. 2

On page 2, in line 14, after "guidelines" insert "**OR GUIDELINES ISSUED BY A NATIONALLY RECOGNIZED HOSPITAL ACCREDITATION ORGANIZATION APPROVED**

**BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES CONDITIONS OF PARTICIPATION**"; in line 16, strike the comma and substitute "**OR**"; in line 17, strike "**OR IS ILLITERATE,**"; and strike beginning with "**OF**" in line 22 down through "**OFFICE**" in line 23 and substitute "**THAT ARE ACCESSIBLE TO PATIENTS AND VISITORS, WHICH MAY INCLUDE ADMITTING OFFICES**".

On page 3, in line 10, after "**CARE**" insert "**IF STAFF SAFETY IS NOT A CONCERN**"; in line 21, after "**PROVIDED**" insert "**AND AS LONG AS PATIENT CARE IS NOT IMPEDED**"; in line 27, after "**OTHER**" insert "**TEMPORARY**"; and in line 30, strike "**HEALTH CARE TEAM MEMBER**" and substitute "**OTHER HEALTH CARE PRACTITIONERS**".

On page 4, in line 3, after "**RECORDS**" insert "**IN ACCORDANCE WITH HIPAA NOTICE OF PRIVACY PRACTICES**"; in line 5, strike "**HAVE PAIN MANAGED**" and substitute "**BE SCREENED, ASSESSED, AND TREATED FOR PAIN**"; and in line 7, strike "**HAVE**" and substitute "**IN ACCORDANCE WITH HOSPITAL VISITATION POLICIES, HAVE**".

AMENDMENT NO. 3

On page 5, in line 1, strike "**JANUARY 1 EACH YEAR**" and substitute "**JANUARY 1, 2021**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 258 – Delegates Pena–Melnyk and Pendergrass**

AN ACT concerning

**Health Insurance – Individual Market Stabilization – Provider Fee**

**HB0258/746281/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 258

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Pendergrass" and substitute "Pendergrass, Barron, Charles, Cullison, Kelly, R. Lewis, Rosenberg, Sample–Hughes, and K. Young"; in line 3, after the first "of" insert "clarifying that certain provisions of law apply to managed care organizations; requiring a managed care organization to pay a certain fee on a certain basis in certain calendar years;"; in line 6, strike "for" and substitute "in"; strike beginning with "in" in line 7 down through "law;" in line 9 and substitute "; clarifying that certain assessments are for insurance products that are subject to a certain provision of federal law and may be subject to an assessment by the State; requiring that the calculation of the assessment be made without regard to certain threshold limits or a certain partial exclusion of net premiums; making a conforming change; providing for the application of certain provisions of law; requiring the Maryland Health Insurance Coverage Protection Commission to study a certain matter; providing that certain provisions of this Act apply to stand–alone dental plan carriers and stand–alone vision plan carriers; providing for the termination of a certain provision of this Act, subject to a certain contingency; requiring the Maryland Insurance Commissioner to forward a copy of a certain notice to the Department of Legislative Services within a certain period of time and notify certain carriers; making a certain provision of this Act subject to a certain contingency;"; after line 10, insert:

"BY adding to
Article – Health – General
Section 15–102.3(g)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)";

and after line 15, insert:

"BY repealing and reenacting, without amendments,
Chapter 17 of the Acts of the General Assembly of 2017, as amended by Chapters 37 and 38 of the Acts of the General Assembly of 2018
Section 1(b)

BY repealing and reenacting, with amendments,
Chapter 17 of the Acts of the General Assembly of 2017, as amended by Chapters 37 and 38 of the Acts of the General Assembly of 2018
Section 1(h)(1)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 6–102.1(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2
On page 1, after line 17, insert:

"Article – Health – General

15–102.3.

**(G) (1) THE PROVISIONS OF § 6–102.1 OF THE INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS.**

**(2) FOR EACH CALENDAR YEAR THAT THE INSURANCE COMMISSIONER ASSESSES A HEALTH INSURANCE PROVIDER FEE UNDER § 6–102.1 OF THE INSURANCE ARTICLE, A MANAGED CARE ORGANIZATION SHALL PAY THE FEE ON A QUARTERLY BASIS IN ACCORDANCE WITH A SCHEDULE ADOPTED BY THE INSURANCE COMMISSIONER.**".

AMENDMENT NO. 3
On page 1, in line 24, strike "the fee under".

On page 2, strike beginning with "year" in line 8 down through "**THEREAFTER**" in line 9 and substitute "**YEARS 2019 THROUGH 2023, BOTH INCLUSIVE,**"; in lines 11 and 17, in each instance, strike the bracket; in line 11, strike "**FOR A**"; strike beginning with "**IN**" in line 11 down through "**ACT**" in line 13; in line 16, strike "**THE IMMEDIATELY PRECEDING**"; strike beginning with "**FOR**" in line 18 down through "**ACT**" in line 19 and substitute "**IN CALENDAR YEARS 2020 THROUGH 2023, BOTH INCLUSIVE**"; after line 24, insert:

"**(3) THE ASSESSMENTS REQUIRED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION ARE FOR PRODUCTS THAT:**

**(I) ARE SUBJECT TO § 9010 OF THE AFFORDABLE CARE ACT; AND**

**(II) MAY BE SUBJECT TO AN ASSESSMENT BY THE STATE.**

**(4) THE CALCULATION OF THE ASSESSMENTS REQUIRED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION SHALL BE MADE WITHOUT REGARD TO:**

**(I) THE THRESHOLD LIMITS ESTABLISHED IN § 9010(B)(2)(A) OF THE AFFORDABLE CARE ACT; OR**

**(II) THE PARTIAL EXCLUSION OF NET PREMIUMS PROVIDED FOR IN § 9010(B)(2)(B) OF THE AFFORDABLE CARE ACT.**";

after line 27, insert:

"Chapter 17 of the Acts of 2017, as amended by Chapters 37 and 38 of the Acts of 2018

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(b) There is a Maryland Health Insurance Coverage Protection Commission.

(h) (1) The Commission shall study and make recommendations for individual and group health insurance market stability, including:

(i) the components of one or more waivers under § 1332 of the Affordable Care Act to ensure market stability that may be submitted by the State;

(ii) whether to pursue a standard plan design that limits cost sharing;

(iii) whether to merge the individual and small group health insurance markets in the State for rating purposes;

(iv) whether to pursue a Basic Health Program;

(v) whether to pursue a Medicaid buy–in program for the individual market;

(vi) whether to provide subsidies that supplement premium tax credits or cost–sharing reductions described in § 1402(c) of the Affordable Care Act; **[**and**]**

(vii) whether to adopt a State–based individual health insurance mandate and how to use payments collected from individuals who do not maintain minimum essential coverage, including use of the payments to assist individuals in purchasing health insurance**; AND**

**(VIII) WHETHER THE STATE REINSURANCE PROGRAM SHOULD BE EXTENDED AFTER CALENDAR YEAR 2023 AND, IF SO, HOW IT WILL BE FUNDED**.".

AMENDMENT NO. 4

On page 2, before line 28, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Insurance

6–102.1.

(a) **(1)** This section applies to:

**[**(1)**]** **(I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,** an insurer, a nonprofit health service plan, a health maintenance organization, a dental plan organization, a fraternal benefit organization, and any other person subject to regulation by the State that provides a product that:

**[**(i)**]** **1.** is subject to the fee under § 9010 of the Affordable Care Act; and

**[**(ii)**]** **2.** may be subject to an assessment by the State; and

**[**(2)**]** **(II)** a managed care organization authorized under Title 15, Subtitle 1 of the Health – General Article.

**(2) THIS SECTION DOES NOT APPLY TO A STAND–ALONE DENTAL PLAN CARRIER OR A STAND–ALONE VISION PLAN CARRIER.**

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The assessment established under § 6–102.1 of the Insurance Article, as enacted by Section 2 of this Act, shall apply to stand–alone dental plan carriers and stand–alone vision plan carriers.

(b) If the federal government confirms that under the rules that implement § 1903 of the Social Security Act, which requires health care related taxes to be broad– based and uniform in order to apply to Medicaid providers, such as managed care organizations, that the State can impose a 1% assessment on Medicaid managed care organizations if it is imposing that fee on all commercial health insurance plans except dental and vision, subsection (a) of this section, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

(c) If the Maryland Insurance Commissioner receives notice of the confirmation described in subsection (b) of this section, within 5 days after receiving notice of the confirmation, the Commissioner shall:

(1) forward a copy of the notice to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401; and

(2) notify each stand–alone dental plan carrier and stand–alone vision plan carrier.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect contingent on the termination of Section 3(a) of this Act.";

in line 28, strike "2." and substitute "5."; and in the same line, after "That" insert ", subject to Section 4 of this Act,".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0258/773425/1**

BY: Delegate Cullison

AMENDMENT TO HOUSE BILL 258, AS AMENDED

On page 6 of the Health and Government Operations Committee Amendments (HB0258/746281/1), in line 7 of Amendment No. 4, strike "2" and substitute "1".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 397 – Delegates Krebs, Jackson, Acevero, Anderton, Arentz, Arikan, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boyce, Branch, Buckel, Carey, Cassilly, Chang, Charkoudian, Charles, Chisholm, Clark, Corderman, Cox, Crosby, D.M. Davis, Dumais, Fennell, Fraser–Hidalgo, Ghrist, Gilchrist, Harrison, Haynes, Hettleman, Hill, Hornberger, Howard, Ivey, Kelly, Kerr, Kittleman, Korman, Krimm, Lehman, Lierman, Long, Luedtke, Malone, Mautz, McComas, McKay, Morgan, Palakovich Carr, Parrott, Patterson, Proctor, Qi, Queen, Reilly, Rose, Saab, Sample–Hughes, Shoemaker, Smith, Solomon, Szeliga, Turner, Valderrama, Walker, R. Watson, Wells, Wilson, and P. Young**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System**
**(Carl Henn's Law)**

**HB0397/536182/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 397
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Krebs, Jackson," and substitute "Krebs and Jackson (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland) and Delegates"; in the same line, strike "Morgan,"; in the same line, strike "and P. Young" and substitute "P. Young, Adams, Bagnall, Carr, Cullison, Johnson, Kipke, R. Lewis,

Metzgar, Pena–Melnyk, Pendergrass, Rosenberg, and K. Young"; and strike beginning with "requiring" in line 4 down through "parties;" in line 9.

On page 2, strike beginning with "providing" in line 16 down through "Act;" in line 17; in line 17, strike "and" and substitute "a certain term;"; and strike in their entirety lines 19 through 28, inclusive.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 4 on page 3 through line 8 on page 4, inclusive.

On page 6, in line 8, after "**COUNTY**" insert "**PUBLIC SAFETY ANSWERING POINT**".

AMENDMENT NO. 3

On page 17, in line 6, strike "switch" and substitute "**SWITCHED**".

On page 17 in line 9, and on page 19 in lines 20 and 26, in each instance, strike "**TELEPHONE**" and substitute "**SWITCHED LOCAL EXCHANGE ACCESS**".

On page 17 in line 16, and on page 19 in line 31, in each instance, strike "**AN EXCHANGE ACCESS FACILITY**" and substitute "**A 9–1–1 ACCESSIBLE SERVICE**".

On page 17 in line 18, and on page 19 in line 33, in each instance, strike "**TELEPHONE**" and substitute "**9–1–1 ACCESSIBLE**".

On page 17, in line 8, strike "**(4)**" and substitute "**(5)**"; in line 13, strike "**AND (4)**" and substitute "**THROUGH (5)**"; after line 19, insert:

"**(3) CMRS PROVIDED TO MULTIPLE DEVICES THAT SHARE A MOBILE TELEPHONE NUMBER SHALL BE TREATED AS A SINGLE 9–1–1 ACCESSIBLE SERVICE FOR PURPOSES OF CALCULATING THE 9–1–1 FEE DUE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**";

and in lines 20 and 23, strike "**(3)**" and "**(4)**", respectively, and substitute "**(4)**" and "**(5)**", respectively.

On page 19, in line 18, strike "**(5)**" and substitute "**(6)**"; in line 28, strike "**AND (5)**" and substitute "**THROUGH (6)**"; and after line 35, insert:

"**(4) CMRS PROVIDED TO MULTIPLE DEVICES THAT SHARE A MOBILE TELEPHONE NUMBER SHALL BE TREATED AS A SINGLE 9–1–1 ACCESSIBLE SERVICE FOR PURPOSES OF CALCULATING THE ADDITIONAL CHARGES DUE UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.**".

On page 20, in lines 1, 5, and 20, strike "**(4)**", "**(5)**", and "**(6)**", respectively, and substitute "**(5)**", "**(6)**", and "**(7)**", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 520 – Delegates Lierman, Jones, Bagnall, Boyce, Bridges, Charkoudian, Clippinger, Conaway, Ebersole, Feldmark, Glenn, Hettleman, Ivey, Jalisi, Korman, Krimm, Lafferty, Lehman, R. Lewis, McIntosh, Palakovich Carr, Sample–Hughes, Smith, Solomon, Valderrama, and Wells**

AN ACT concerning

**Prenatal and Infant Care Coordination – Grant Funding and Task Force**

**HB0520/566985/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 520
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wells" and substitute "Wells, Brooks, Bartlett, Terrasa, Pendergrass, Pena–Melnyk, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Rosenberg, and K. Young".

AMENDMENT NO. 2

On page 2, in line 8, strike "**$5,000,000**" and substitute "**$100,000**".

AMENDMENT NO. 3

On page 2, in line 30, strike "and".

On page 3, in line 3, after "system" insert ";

(vi) one representative of the Maryland Affiliate of the American College of Nurse Midwives;

(vii) one representative of the Maryland Chapter of the American Academy of Pediatrics;

(viii) one representative of the Maryland Association for the Treatment of Opioid Dependence; and

(ix) one physician specializing in neonatology, maternal fetal medicine, or pediatric cardiology from a hospital other than the Johns Hopkins Children's Center or the University of Maryland Children's Hospital";

in line 13, strike "Health Services Cost Review Commission" and substitute "Maryland Department of Health"; in line 15, strike the second "and"; in line 16, after "how" insert "State policies and"; in line 18, strike "use the global budgets revenue system" and substitute "encourage partnerships under the all–payer model"; and in line 21, after "improvements" insert "; and

(3) programs that the Maryland Medical Assistance Program should implement".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 527 – Delegates Charkoudian, Acevero, Arikan, B. Barnes, Cullison, Hornberger, Kittleman, Korman, Krebs, J. Lewis, R. Lewis, Metzgar, Moon, Smith, Solomon, Stewart, Turner, and Wilkins**

AN ACT concerning

**Public Health – Cottage Food Products – Definition**

**HB0527/366980/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 527
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Hill, Johnson, Kelly, Kerr, Kipke, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; in line 2, after "Definition" insert "and Sale"; in line 4, after "cooperatives;" insert "requiring that a certain label for a cottage food product offered for sale at a retail food store include certain information; requiring the owner of a cottage food business to submit certain information to the Maryland Department of Health before selling a cottage food product to a retail food store; requiring the Department, on or before a certain date each year, to submit a certain annual report to certain committees of the General Assembly;"; and in line 13, after "21–301(b–2)" insert "and 21–330.1".

AMENDMENT NO. 2

On page 2, after line 13, insert:

"21–330.1.

(a) This section does not:

(1) Apply to a food establishment that is required to have a license under § 21–305 of this subtitle; or

(2) Exempt a cottage food business from any applicable State or federal tax laws.

(b) A cottage food business is not required to be licensed by the Department if the owner of the cottage food business complies with this section.

(c) The owner of a cottage food business may sell only cottage food products that are:

(1) Stored on the premises of the cottage food business; and

(2) Prepackaged with a label that contains:

(i) The following information:

1. The name and address of the cottage food business;

2. The name of the cottage food product;

3. The ingredients of the cottage food product in descending order of the amount of each ingredient by weight;

4. The net weight or net volume of the cottage food product;

5. Allergen information as specified by federal labeling requirements; and

6. If any nutritional claim is made, nutritional information as specified by federal labeling requirements; **[**and**]**

(ii) The following statement printed in 10 point or larger type in a color that provides a clear contrast to the background of the label: "Made by a cottage food business that is not subject to Maryland's food safety regulations."**; AND**

**(III) FOR A COTTAGE FOOD PRODUCT OFFERED FOR SALE AT A RETAIL FOOD STORE:**

**1. THE PHONE NUMBER AND E–MAIL ADDRESS OF THE COTTAGE FOOD BUSINESS; AND**

**2. THE DATE THE COTTAGE FOOD PRODUCT WAS MADE**.

(d) The owner of a cottage food business shall comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage, and sale of cottage food products.

(e) (1) The Department may investigate any complaint alleging that a cottage food business has violated this section.

(2) On receipt of a complaint, a representative of the Department, at a reasonable time, may enter and inspect the premises of a cottage food business to determine compliance with this section.

(3) The owner of a cottage food business may not:

(i) Refuse to grant access to a representative who requests to enter and inspect the premises of the cottage food business under paragraph (2) of this subsection; or

(ii) Interfere with any inspection under paragraph (2) of this subsection.

(4) An investigation of a cottage food business conducted under this subsection may include sampling of a cottage food product to determine if the cottage food product is misbranded or adulterated.

**(F) BEFORE THE OWNER OF A COTTAGE FOOD BUSINESS MAY SELL A COTTAGE FOOD PRODUCT TO A RETAIL FOOD STORE, THE OWNER SHALL SUBMIT TO THE DEPARTMENT:**

**(1) DOCUMENTATION OF THE OWNER'S SUCCESSFUL COMPLETION OF A FOOD SAFETY COURSE APPROVED BY THE DEPARTMENT; AND**

**(2) THE LABEL THAT WILL BE AFFIXED TO THE COTTAGE FOOD PRODUCT IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION.**

**(G) BEGINNING ON OR BEFORE DECEMBER 30, 2020, AND EVERY DECEMBER 30 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS**

**COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON:**

**(1) THE DOCUMENTATION AND LABELS SUBMITTED UNDER SUBSECTION (F) OF THIS SECTION; AND**

**(2) ANY COMPLAINTS RECEIVED BY THE DEPARTMENT RELATED TO A COTTAGE FOOD BUSINESS OR COTTAGE FOOD PRODUCT.**

**[**(f)**] (H)** The Department shall adopt regulations to carry out this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 605 – Delegate Kelly**

AN ACT concerning

**Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse Practitioners**

**HB0605/316181/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 605
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kelly" and substitute "Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; in line 3, after "Practitioners" insert "and Psychiatrists"; in line 12, after "purpose;" insert "altering the date on which a certain

provision of law regarding psychiatrists and telemedicine terminates;"; in line 13, after "date;" insert "providing for the termination of this Act;"; and after line 19, insert:

"BY repealing and reenacting, with amendments,
Chapter 691 of the Acts of the General Assembly of 2018
Section 3".

AMENDMENT NO. 2
On page 3, after line 15, insert:

"Chapter 691 of the Acts of 2018

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018. It shall remain effective for a period of **[**2**]** **3** years and, at the end of September 30, **[**2020**]** **2021**, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.";

and in line 24, after "2019." insert "It shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 691 of the Acts of the General Assembly of 2018. If that termination provision takes effect, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 646 – Delegate Pendergrass**

AN ACT concerning

**Maryland Health Care Commission – State Health Plan and Certificate of Need for Hospital Capital Expenditures**

**HB0646/696082/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 646
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Pendergrass" and substitute "Delegates Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 759 – Delegates Morgan, Buckel, Carr, Charles, Chisholm, Hill, Kelly, Kerr, Kipke, Krebs, Pena–Melnyk, Saab, Sample–Hughes, and Szeliga**

AN ACT concerning

**Pharmacy Benefits Managers – Pharmacy Choice**

**HB0759/496080/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 759
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Szeliga" and substitute "Szeliga, Pendergrass, Bagnall, Barron, Bhandari, Cullison, Johnson, R. Lewis, Metzgar, Rosenberg, and K. Young"; in line 3, after "prohibiting" insert ", except under certain circumstances,"; and in lines 5 and 6, in each instance, after "manager" insert "or a certain affiliate of the pharmacy benefits manager".

AMENDMENT NO. 2

On page 1, in line 17, before "**A**" insert "**(A)**"; in the same line, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**";

in lines 19 and 22, in each instance, after "**MANAGER**" insert "**OR A CORPORATE AFFILIATE OF THE PHARMACY BENEFITS MANAGER**";

and after line 22, insert:

"**(B) A PHARMACY BENEFITS MANAGER MAY REQUIRE A BENEFICIARY TO USE A SPECIFIC PHARMACY OR ENTITY FOR A SPECIALTY DRUG AS DEFINED IN § 15–847 OF THIS TITLE.**".

AMENDMENT NO. 3

On page 2, in line 2, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 814 – Delegates Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Carr, Chang, Charkoudian, Conaway, Crutchfield, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gilchrist, Glenn, Harrison, Haynes, Healey, Hettleman, Holmes, Ivey, Jackson, Jalisi, Jones, Kelly, Kerr, Korman, Krimm, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Reznik, Rogers, Rosenberg, Sample–Hughes, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Washington, R. Watson, and P. Young**

AN ACT concerning

**Maryland Health Insurance Option**
**(Protect Maryland Health Care Act of 2019)**

**HB0814/716387/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 814

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Pendergrass, Charles, Cullison, Hill, Johnson, and K. Young"; strike beginning with "establishing" in line 12 down through the second "Fund;" in line 14; and strike beginning with "exempting" in line 20 down through "State;" in line 22 and substitute "requiring the Comptroller to include a certain checkoff on a certain State income tax return form;".

On page 2, in line 2, strike "authorizing" and substitute "requiring"; in the same line, after "a" insert "certain"; in the same line, strike "for the information"; in line 6, after "Comptroller" insert ", in consultation with the Exchange and with the advice of the Workgroup,"; strike beginning with the second "and" in line 7 down through "notice" in line 34; strike beginning with "requiring" in line 34 down through "dates;" in line 38; in line 39, strike "authorizing" and substitute "requiring"; strike beginning with "stating" in line 40 down through "Assembly;" in line 41; in line 41, after "to" insert "advise the Comptroller on certain language and to"; and in line 42, after "date;" insert "requiring the Comptroller to ensure that a certain tax system has certain capability and to submit a certain report to the General Assembly on or before a certain date;".

On page 3, in line 11, strike "31–208" and substitute "31–207"; strike in their entirety lines 15 through 29, inclusive; strike beginning with the semicolon in line 32 down through "Coverage"" in line 33; and strike in their entirety lines 36 through 40, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 1 on page 4 through line 8 on page 5, inclusive.

On page 8, strike beginning with "**SECRETARY**" in line 4 down through "**§ 5000A**" in line 6 and substitute "**EXCHANGE RECOGNIZES, CONSISTENT WITH POLICY GOALS OF SUBTITLE 2 OF THIS TITLE**".

On page 9, strike in their entirety lines 10 and 11; strike in their entirety lines 17 and 18; in lines 12, 19, 21, 23, and 25, strike "**(F)**", "**(H)**", "**(I)**", "**(J)**", and "**(K)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively.

On page 10, in lines 1 and 15, strike "**(L)**" and "**(M)**", respectively, and substitute "**(J)**" and "**(K)**", respectively; and strike in their entirety lines 19 through 31, inclusive.

On page 11, in line 14, after "**COVERAGE;**" insert "**AND**"; strike in their entirety lines 15 through 17, inclusive; in line 18, strike "**(5)**" and substitute "**(4)**"; and in line 27, strike "**§§ 14–103(A) AND 14–201(B)**" and substitute "**§ 2–115(D)**".

On pages 13 through 15, strike in their entirety the lines beginning with line 10 on page 13 through line 8 on page 15, inclusive.

On page 15, in line 9, strike "**31–205.**" and substitute "**31–204.**"; in line 13, strike "**§ 2–215(C)(3)**" and substitute "**§ 2–115(C)(3)**"; in line 21, strike "**§ 2–215(C)(5)**" and substitute "**§ 2–115(B)(2)**"; and in line 33, strike "**OTHER**".

On page 16, in line 28, strike "**31–206.**" and substitute "**31–205.**"; and in line 30, strike "**§ 31–205**" and substitute "**§ 31–204**".

On page 17, in line 18, strike "**31–207.**" and substitute "**31–206.**"; in line 25, strike "**(I)**"; in lines 21, 22, and 28, strike "**§ 31–206**", "**§ 31–205**", and "**§ 2–215(C)(3)**", respectively, and substitute "**§ 31–205**", "**§ 31–204**", and "**§ 2–115(C)(3)**", respectively; and strike in their entirety lines 30 through 32, inclusive.

On page 18, in line 9, strike "**UNINSURED**"; in line 15, strike "**(1)**" and substitute "**(2)**"; in line 17, strike "**§ 33–501**" and substitute "**§ 31–204**"; and in the same line, strike "**TITLE**" and substitute "**SUBTITLE**".

On pages 18 through 20, strike in their entirety the lines beginning with line 18 on page 18 through line 20 on page 20, inclusive.

On page 20, in line 21, strike "**31–208.**" and substitute "**31–207.**".

On pages 20 and 21, strike in their entirety the lines beginning with line 29 on page 20 through line 9 on page 21, inclusive.

AMENDMENT NO. 3

On page 22, strike in their entirety lines 1 and 2; in lines 3, 5, 7, 9, and 13, strike "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(7)**", "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively; in line 15, after "**(1)**" insert "**THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL INCOME TAX RETURN FORM A CHECKOFF FOR INDICATING WHETHER THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT**

**RETURN, AND ANY INDIVIDUAL CLAIMED AS A DEPENDENT ON THE TAX RETURN IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**

**(2)**";

strike beginning with "**LACKED**" in line 16 down through "**FILED**" in line 18 and substitute "**IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED**"; strike beginning with "**WHETHER**" in line 20 down through "**FILED**" in line 21 and substitute "**THE AGE OF EACH UNINSURED INDIVIDUAL**"; and strike beginning with "**IF**" in line 22 down through "**FILED,**" in line 23.

On page 23, in line 5, strike "**(2)**" and substitute "**(3)**"; and strike in their entirety lines 12 through 19, inclusive, and substitute:

"**(C) (1) IN ACCORDANCE WITH THIS SUBSECTION, THE COMPTROLLER SHALL INCLUDE WITH THE INCOME TAX RETURN FORM A SEPARATE FORM THAT IS REQUIRED ONLY FOR INDIVIDUALS WHO FILE A TAX RETURN INDICATING THAT AN INDIVIDUAL IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**

**(2) THE SEPARATE FORM SHALL INCLUDE TWO CHECK–OFF BOXES AS DESCRIBED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION AND THE INFORMATION DESCRIBED IN SUBSECTION (B)(2) AND (3) OF THIS SECTION.**";

strike beginning with "**DETERMINE**" in line 21 down through "**INFORMATION**" in line 24 and substitute "**:**

**(I) BASED ON INFORMATION IN THE INDIVIDUAL'S TAX RETURN, DETERMINE THE UNINSURED INDIVIDUAL'S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS; AND**

**(II) OBTAIN ADDITIONAL DATA THAT MAY BE RELEVANT TO DETERMINE THE UNINSURED INDIVIDUAL'S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS**";

in line 26, strike the colon; in line 27, strike "**(I)**"; in the same line, strike "**DETERMINATIONS**" and substitute "**DETERMINATION**"; strike beginning with the semicolon in line 28 down through "**RETURN**" in line 31; and in line 32, after

"**COMPTROLLER**" insert "**, IN CONSULTATION WITH THE EXCHANGE AND WITH THE ADVICE OF THE ADVISORY WORKGROUP,**".

On page 24, strike beginning with "**THAT**" in line 2 down through "**POSSIBLE**" in line 3; in line 4, strike "**INCLUDE WITH**" and substitute "**DEVELOP LANGUAGE FOR**"; in line 5, after "**RETURN**" insert "**THAT INCLUDES**"; in line 8, strike "**SUBSECTION (B)(1)(III) OF**"; strike beginning with "**PROVIDE**" in line 9 down through "**WORKGROUP**" in line 10 and substitute "**ENSURE THAT THE LANGUAGE DEVELOPED UNDER ITEM (I) OF THIS PARAGRAPH IS AS SIMPLE, CLEAR, AND EASY TO UNDERSTAND AS POSSIBLE**"; in line 16, after "**(D)**" insert "**(1)**"; in the same line, strike "**§§ 14–103(C) AND 14–201(B) OF THIS ARTICLE**" and substitute "**PARAGRAPH (2) OF THIS SUBSECTION**"; and after line 18, insert:

"**(2) IF THE COMPTROLLER DETERMINES, AFTER CONSULTATION WITH THE EXCHANGE, THAT THE IMPLEMENTATION OF THIS SECTION IS NOT ADMINISTRATIVELY FEASIBLE FOR TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2018, THE COMPTROLLER MAY DELAY IMPLEMENTATION OF THIS SECTION TO TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2019.**".

On pages 24 through 37, strike in their entirety the lines beginning with line 19 on page 24 through line 35 on page 37, inclusive.

AMENDMENT NO. 4

On page 38, strike in their entirety lines 1 through 25, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health Insurance Option Advisory Workgroup required to be established under § 31–203 of the Insurance Article, as enacted by Section 1 of this Act, shall:

(1) advise the Comptroller on the language the Comptroller is required to develop under § 2–115(c) of the Tax – General Article, as enacted by Section 1 of this Act; and

(2) on or before December 31, 2022, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(i) the effectiveness of the Maryland Health Insurance Option established under Section 1 of this Act;

(ii) recommendations as to whether implementing an individual responsibility amount or implementing automatic enrollment of individuals in a qualified health benefit plan in the individual market is feasible and in the best interest of the State; and

(iii) if the Workgroup determines that implementing an insurance responsibility amount is feasible and in the best interest of the State, the dollar amount of the individual responsibility amount and whether the State should provide an individual the option of obtaining health insurance instead of paying the individual responsibility amount.

SECTION 3. AND BE IT FURTHER ENACTED, That the Comptroller shall:

(1) ensure that the integrated tax system to which the Office of the Comptroller is currently transitioning is a system that has the capability to collect individual responsibility amounts; and

(2) on or before December 1, 2020, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the progress the Office of the Comptroller has made in transitioning to the integrated tax system and the costs and time needed to include functionality to process and collect individual responsibility amounts in the integrated tax system.";

and in lines 26, 30, and 35, strike "5.", "6.", and "7.", respectively, and substitute "4.", "5.", and "6.", respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 932 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Krebs, Lisanti, Reilly, and Turner**

AN ACT concerning

**Maryland Trust Act – Division or Consolidation of Trust**

**HB0932/646583/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 932
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Turner" and substitute "Turner, Bagnall, Barron, Carr, Charles, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Rosenberg, and Saab".

AMENDMENT NO. 2

On page 3, in line 4, after "**THAT**" insert "**, IN THE AGGREGATE,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1090 – Delegate Jackson**

AN ACT concerning

**9–1–1 Specialists – Compensation and Benefits**

**HB1090/116586/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1090
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Jackson" and substitute "Delegates Jackson, Charles, Chisholm, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, and K. Young"; strike beginning with "providing" in line 4 down through

"specialist;" in line 9; and strike beginning with "defining" in line 11 down through "terms;" in line 12 and substitute "altering a certain term;".

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 5 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 30 on page 2 through line 1 on page 6, inclusive.

On page 6, in line 2, strike "3." and substitute "2."; and in line 9, after "county" insert "**PUBLIC SAFETY ANSWERING POINT**".

On page 7, strike lines 7 and 8 in their entirety; in lines 9 and 11, strike "5." and "6.", respectively, and substitute "3." and "4.", respectively; and in line 9, strike "3" and substitute "2".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1122 – Delegates Hornberger, Buckel, Kipke, and Patterson**

AN ACT concerning

**Outpatient Mental Health Centers – Requirements for Medical Directors**

**HB1122/736987/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1122
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Patterson" and substitute "Patterson, Pena–Melnyk, Bagnall, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr,

Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; line 2, before "Outpatient" insert "Behavioral Health Programs –"; in the same line, strike "Requirements for"; strike beginning with "certain" in line 3 down through "week" in line 6 and substitute "that regulations adopted under certain provisions of law regulating behavioral health programs include provisions authorizing a psychiatric nurse practitioner to serve as a medical director of a certain outpatient mental health center, including through telehealth"; in line 6, strike "requirements for"; in line 8, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 10, strike "10–905" and substitute "7.5–402".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 16 through 22, inclusive, and substitute:

"7.5–402.

(a) Regulations adopted under this subtitle shall include:

(1) The requirements for licensure of a behavioral health program;

(2) The process for a behavioral health program to apply for a license;

(3) A description of the behavioral health programs that are required to be licensed;

(4) Any requirements for the governance of a behavioral health program, including **[**a**]:**

**(I) A** provision prohibiting a conflict of interest between the interests of the provider and those of the individual receiving services; **AND**

**(II) A PROVISION AUTHORIZING A PSYCHIATRIC NURSE PRACTITIONER TO SERVE AS A MEDICAL DIRECTOR OF AN OUTPATIENT MENTAL HEALTH CENTER ACCREDITED IN ACCORDANCE WITH COMAR 10.63.03.05, INCLUDING THROUGH TELEHEALTH;**

(5) Provisions for inspections of a behavioral health program, including inspection and copying of the records of a behavioral health program in accordance with State and federal law; and

(6) Provisions for denials, sanctions, suspensions, and revocations of licenses, including imposition of civil monetary penalties, and notice and an opportunity to be heard.

(b) (1) The Secretary may require a behavioral health program to be granted accreditation by an accreditation organization approved by the Secretary under Title 19, Subtitle 23 of this article as a condition of licensure under regulations adopted under this subtitle.

(2) By becoming licensed in accordance with paragraph (1) of this subsection, a program agrees to comply with all applicable standards of the accreditation organization.

(c) Regulations adopted under this subtitle may include provisions setting reasonable fees for applying for a license and for the issuance and renewal of licenses.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1140 – Delegates Chisholm, Buckel, Chang, Jalisi, Malone, McComas, and Saab**

AN ACT concerning

**Wills – Execution of Wills – Witnesses and Wills Executed Outside the State**

**HB1140/596087/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1140
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Saab" and substitute "Saab, Johnson, Krebs, Metzgar, and Szeliga"; and in line 6, after "changes;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 2, in line 10, strike "the" and substitute "**:**

**(I) THE**";

in lines 10 and 11, strike ", or the" and substitute "**;**

**(II) THE**";

in line 11, strike ", or the" and substitute "**; OR**

**(III) THE**";

after line 13, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any will executed before the effective date of this Act.";

and in line 14, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1272 – Delegates Pendergrass and McIntosh**

AN ACT concerning

**Maryland Department of Health – Family Planning Program – Funding**

**HB1272/316082/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1272
(First Reading File Bill)

On page 1, in the sponsor line, strike "and McIntosh" and substitute ", McIntosh, Cullison, K. Young, Pena–Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 9

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 435 – Delegates Kelly, Bagnall, Bromwell, Hill, Metzgar, Morgan, Saab, Valentino–Smith, and K. Young**

AN ACT concerning

**Health Insurance – Prescription Drugs – Formulary Changes**

**HB0435/376282/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 435
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 3 down through "term;" in line 5 and substitute "requiring certain entities to establish and implement a procedure by which a member may receive a prescription drug or device that has been removed from a certain entity's formulary or a member may continue the same cost sharing requirements under certain circumstances; altering the requirement that a certain entity provide

coverage for a prescription drug or device under certain circumstances; requiring a certain entity to provide a certain member with a certain notice;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 12, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 30 on page 3, inclusive.

On page 3, in line 31, strike the brackets; in the same line, strike "**(D)**"; and in line 33, after "may" insert "**:**

**(1)**".

On page 4, in line 1, after "formulary" insert "**OR HAS BEEN REMOVED FROM THE ENTITY'S FORMULARY**"; in the same line, after "section" insert "**; OR**

**(2) CONTINUE THE SAME COST SHARING REQUIREMENTS IF THE ENTITY HAS MOVED THE PRESCRIPTION DRUG OR DEVICE TO A HIGHER DEDUCTIBLE, COPAYMENT, OR COINSURANCE TIER**";

in line 2, strike the brackets; in the same line, strike "**(E)**"; in line 3, strike "that is not in the formulary" and substitute "**IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION**"; in lines 5 and 6, in each instance, after "formulary" insert "**IN A LOWER TIER**"; in line 14, strike the brackets; in the same line, strike "**(F)**"; and after line 18, insert:

"**(F) AN ENTITY SUBJECT TO THIS SECTION THAT REMOVES A DRUG FROM ITS FORMULARY OR MOVES A PRESCRIPTION DRUG OR DEVICE TO A BENEFIT TIER THAT REQUIRES A MEMBER TO PAY A HIGHER DEDUCTIBLE, COPAYMENT, OR COINSURANCE AMOUNT FOR THE PRESCRIPTION DRUG OR DEVICE SHALL PROVIDE A MEMBER WHO IS CURRENTLY ON THE PRESCRIPTION DRUG OR DEVICE AND THE MEMBER'S HEALTH CARE PROVIDER WITH:**

**(1) NOTICE OF THE CHANGE AT LEAST 30 DAYS BEFORE THE CHANGE IS IMPLEMENTED; AND**

**(2) IN THE NOTICE REQUIRED UNDER ITEM (1) OF THIS SUBSECTION, THE PROCESS FOR REQUESTING AN EXEMPTION THROUGH THE PROCEDURE ADOPTED IN ACCORDANCE WITH THIS SECTION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 751 – Delegate Hill**

AN ACT concerning

**Health Insurance – Prior Authorization – Requirements**

**HB0751/296884/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 751
(First Reading File Bill)

AMENDMENT NO. 2

On page 1, strike beginning with "requiring" in line 3 down through "situation;" in line 15; in line 16, strike "or device"; in line 18, after "prescription" insert "for a certain period of time"; strike beginning with "providing" in line 18 down through "condition;" in line 22; in line 22, after "database" insert "for certain prior authorizations"; strike beginning with "requiring" in line 24 down through "terms;" in line 25 and substitute "requiring certain entities to honor a prior authorization from a certain entity for benefits for at least a certain amount of time; authorizing a certain entity to perform a certain review during a certain period of time; requiring a certain entity to honor a prior authorization issued by the entity under certain circumstances; providing that a certain entity may not be required to honor a certain prior authorization for a change in dosage of an opioid; requiring a certain entity, under certain circumstances, to provide certain notice of a certain prior authorization requirement to certain persons;".

On page 2, in line 1, strike "15–140.1 and".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 7 on page 2 through line 4 on page 4, inclusive.

On pages 4 and 5, strike beginning with "**(A)**" in line 6 on page 4 down through "**(B)**" in line 3 on page 5 and substitute "**(A)**".

On page 5, in lines 5 and 9, in each instance, strike "**OR DEVICES**" and substitute "**THROUGH A PHARMACY BENEFIT**"; in line 13, strike "**OR DEVICES**"; in the same line, strike "**BENEFIT**" and substitute "**BENEFITS**"; strike in their entirety lines 18 through 25, inclusive; in line 26, strike "**(D)**" and substitute "**(B)**"; in lines 27, 29, and 32, in each instance, strike "**OR DEVICE**"; and in lines 30 and 32, in each instance, strike "**OR LONG–TERM CARE**".

On page 6, in line 1, strike "**OR DEVICE**" and substitute "**FOR 1 YEAR OR FOR THE STANDARD COURSE OF TREATMENT FOR THE CHRONIC CONDITION BEING TREATED, WHICHEVER IS LESS**"; strike in their entirety lines 2 through 6, inclusive; strike beginning with "**IF**" in line 7 down through "**AUTHORIZATION**" in line 8 and substitute "**FOR A PRIOR AUTHORIZATION THAT IS FILED ELECTRONICALLY**"; in line 11, strike "**(E) (1)**" and substitute "**(C)**"; in line 12, strike "**OR DEVICE**"; in line 14, strike "**UTILIZATION MANAGEMENT RESTRICTION**" and substitute "**REQUIREMENT FOR PRIOR AUTHORIZATION**"; strike in their entirety lines 15 through 19, inclusive; and after line 19, insert:

"**(D) (1) ON RECEIPT OF INFORMATION DOCUMENTING A PRIOR AUTHORIZATION FROM THE INSURED OR FROM THE INSURED'S HEALTH CARE PROVIDER, AN ENTITY SUBJECT TO THIS SECTION SHALL HONOR A PRIOR AUTHORIZATION GRANTED TO AN INSURED FROM A PREVIOUS ENTITY FOR AT LEAST THE INITIAL 30 DAYS OF AN INSURED'S PRESCRIPTION DRUG BENEFIT COVERAGE UNDER THE HEALTH BENEFIT PLAN OF THE NEW ENTITY.**

**(2) DURING THE TIME PERIOD DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AN ENTITY MAY PERFORM ITS OWN REVIEW TO GRANT A PRIOR AUTHORIZATION FOR THE PRESCRIPTION DRUG.**

**(E) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL HONOR A PRIOR AUTHORIZATION ISSUED BY THE ENTITY FOR A PRESCRIPTION DRUG:**

**(I) IF THE INSURED CHANGES HEALTH BENEFIT PLANS THAT ARE BOTH COVERED BY THE SAME ENTITY AND THE PRESCRIPTION DRUG IS A COVERED BENEFIT UNDER THE CURRENT HEALTH BENEFIT PLAN; OR**

**(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WHEN THE DOSAGE FOR THE APPROVED PRESCRIPTION DRUG CHANGES AND THE CHANGE IS CONSISTENT WITH FEDERAL FOOD AND DRUG ADMINISTRATION LABELED DOSAGES.**

**(2) AN ENTITY MAY NOT BE REQUIRED TO HONOR A PRIOR AUTHORIZATION FOR A CHANGE IN DOSAGE FOR AN OPIOID UNDER THIS SUBSECTION.**

**(F) IF AN ENTITY UNDER THIS SECTION IMPLEMENTS A NEW PRIOR AUTHORIZATION REQUIREMENT FOR A PRESCRIPTION DRUG, THE ENTITY SHALL PROVIDE NOTICE OF THE NEW REQUIREMENT AT LEAST 30 DAYS BEFORE THE IMPLEMENTATION OF A NEW PRIOR AUTHORIZATION REQUIREMENT:**

**(1) IN WRITING TO ANY INSURED WHO IS PRESCRIBED THE PRESCRIPTION DRUG; AND**

**(2) EITHER IN WRITING OR ELECTRONICALLY TO ALL CONTRACTED HEALTH CARE PROVIDERS.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 931 – Delegate Kipke**

AN ACT concerning

**Health Care Facilities – Certificate of Need – Modifications**

**HB0931/126981/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 931

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "altering" and substitute "repealing"; in line 6, strike the second "a"; in the same line, strike "hospital" and substitute "health care facilities"; strike beginning with "authorizing" in line 9 down through "need;" in line 10 and substitute "repealing a provision of law authorizing a hospital to acquire a freestanding ambulatory surgical facility or a certain office or group practice under certain circumstances;"; in line 12, after "circumstances;" insert "repealing a provision of law providing for the construction of certain provisions of law governing certificates of need; providing for the application of certain provisions of this Act;"; after line 13, insert:

"BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–114(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)";

and after line 18, insert:

"BY repealing
Article – Health – General
Section 19–120(k)(8) and (9)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 22, insert:

"(a) In this Part II of this subtitle the following words have the meanings indicated.";

and strike beginning with the comma in line 24 down through the comma in line 25.

On page 2, strike lines 6 through 14, inclusive; in line 24, strike "**GENERAL**"; and in the same line, after "**HOSPITAL**" insert "**, A FREESTANDING MEDICAL FACILITY, OR AN AMBULATORY SURGICAL FACILITY**".

On page 3, after line 27, insert:

"**[**(8) Subject to the notice requirements of paragraph (6)(ii) of this subsection, a hospital may acquire a freestanding ambulatory surgical facility or office of one or more health care practitioners or a group practice with one or more operating rooms used primarily for the purpose of providing ambulatory surgical services if the facility, office, or group practice:

(i) Has obtained a certificate of need;

(ii) Has obtained an exemption from certificate of need requirements; or

(iii) Did not require a certificate of need in order to provide ambulatory surgical services after June 1, 1995.

(9) Nothing in this subsection may be construed to permit a hospital to build or expand its ambulatory surgical capacity in any setting owned or controlled by the hospital without obtaining a certificate of need from the Commission if the building or expansion would increase the surgical capacity of the State's health care system.**]**".

On page 4, in line 25, strike "**(I)**".

On pages 4 and 5, strike in their entirety the lines beginning with line 27 on page 4 through line 1 on page 5, inclusive.

On page 7, strike in their entirety lines 25 through 29, inclusive, and substitute:

"**(2) (I) THIS PARAGRAPH DOES NOT APPLY TO AN APPLICATION FOR A CERTIFICATE OF NEED INVOLVING:**

**1. THE ESTABLISHMENT OF A HEALTH CARE FACILITY;**

**2. THE RELOCATION OF A HEALTH CARE FACILITY; OR**

**3. THE INTRODUCTION BY A HOSPITAL OF CARDIAC SURGERY OR ORGAN TRANSPLANTATION.**

**(II) A CERTIFICATE OF NEED FILED AFTER OCTOBER 1, 2019, SHALL BE DEEMED APPROVED IF:**

**1. THE CERTIFICATE OF NEED IS UNCONTESTED; AND**

**2. FINAL ACTION BY THE COMMISSION DOES NOT OCCUR WITHIN 120 DAYS AFTER THE APPLICATION FOR THE CERTIFICATE OF NEED WAS DOCKETED.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1098 – Delegate Kipke**

AN ACT concerning

**Health Insurance – Maryland Health Benefit Exchange – Small Business Tax Credit Subsidy**

**HB1098/196483/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1098
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "requiring" and substitute "authorizing"; in lines 7 and 8, strike "as soon as practicable but not later than a certain date"; and in line 9, after "businesses;" insert "requiring the Exchange to determine, before applying for a certain waiver of certain provisions of federal law, whether the State needs to apply for a certain

waiver to distribute certain tax credit assistance to small businesses to certain employers on a certain basis;".

AMENDMENT NO. 2

On page 3, in line 2, after "**ANY**" insert "**FEDERAL**"; in the same line, strike "**DESIGNATED**" and substitute "**RECEIVED IN ACCORDANCE WITH § 31–121 OF THIS TITLE**"; in lines 2 and 3, strike "**STATE–BASED SUBSIDY FOR THE SMALL BUSINESS TAX CREDIT**" and substitute "**ADMINISTRATION OF SMALL BUSINESS TAX CREDITS**"; in line 10, before "**AS**" insert "**(A)**"; in the same line, strike "**AS SOON AS PRACTICABLE BUT NOT LATER THAN JANUARY 1, 2020, THE**" and substitute "**THE**"; in line 12, strike "**SHALL**" and substitute "**MAY**"; in line 14, strike "**STATE–BASED TAX CREDIT ASSISTANCE**" and substitute "**THE FEDERAL SMALL BUSINESS HEALTH CARE TAX CREDIT**"; and after line 15, insert:

"**(B) BEFORE APPLYING FOR A STATE INNOVATION WAIVER UNDER SUBSECTION (A) OF THIS SECTION, THE EXCHANGE SHALL DETERMINE WHETHER THE STATE NEEDS TO APPLY FOR A STATE INNOVATION WAIVER IN ORDER TO DISTRIBUTE THE FEDERAL SMALL BUSINESS HEALTH CARE TAX CREDIT ON A MONTHLY BASIS TO ELIGIBLE EMPLOYERS ENROLLING IN THE SHOP EXCHANGE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1124 – Delegates Brooks, D. Barnes, Branch, Bromwell, D.E. Davis, Dumais, Fennell, Gaines, Glenn, Hettleman, Jones, R. Lewis, Luedtke, Mosby, Patterson, Proctor, Qi, Queen, Sample–Hughes, Stein, Valderrama, Walker, C. Watson, R. Watson, and P. Young**

AN ACT concerning

**State Government – Regulations Impacting Small Businesses – Economic Impact Analyses**

**HB1124/806182/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1124

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Szeliga, and K. Young"; in line 12, after the first "regulation" insert "or the scope of a proposed regulation"; and in line 13, after "regulation" insert "or the scope of a proposed regulation".

AMENDMENT NO. 2

On page 6, in lines 30 and 32, in each instance, after "**REGULATION**" insert "**OR THE SCOPE OF THE PROPOSED REGULATION**".

On page 7, in line 4, after "**REGULATION**" insert "**OR THE SCOPE OF A PROPOSED REGULATION**"; and in line 7, after "**REGULATION**" insert "**OR THE SCOPE OF THE PROPOSED REGULATION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 10

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

**House Bill 1305 – Delegate Ivey**

AN ACT concerning

**Estates and Trusts – Administration of Estates – Waiver of Fees – Required**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 13

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 22 – Delegate Sydnor**

AN ACT concerning

**Occupational Licenses or Certificates – Application Determinations – Use of Criminal History**

**HB0022/553890/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 22
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "based" insert "solely"; strike beginning with "unless" in line 7 down through "determination" in line 8 and substitute "under certain circumstances"; and strike beginning with "repealing" in line 8 down through "certificates;" in line 10.

AMENDMENT NO. 2

On page 2, in lines 8, 9, 10, 19, 20, 21, and 29, in each instance, strike the bracket; in line 10, strike "**(B)**"; strike in their entirety lines 13 through 16, inclusive; in line 17, strike the first set of brackets; in the same line, strike "**(2)**"; strike beginning with "**IF**" in line 17 down through "**CRIME,**" in line 18 and substitute "**EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION,**"; in line 19, strike "**THE**"; in line 21, strike "**(I)**"; strike beginning with the comma in line 22 down through "**CERTIFICATE**" in line 28; and in line 29, strike "**(II)**".

On page 3, in lines 2 and 16, in each instance, strike the bracket; and after line 16, insert:

"**(F) (1) THIS SUBSECTION DOES NOT APPLY TO A CONVICTION OF A CRIME FOR WHICH REGISTRATION ON THE SEX OFFENDER REGISTRY IS REQUIRED UNDER TITLE 11, SUBTITLE 7 OF THIS ARTICLE.**

**(2) IF A PERIOD OF 7 YEARS OR MORE HAS PASSED SINCE AN APPLICANT COMPLETED SERVING THE SENTENCE FOR A CRIME, INCLUDING ALL IMPRISONMENT, MANDATORY SUPERVISION, PROBATION, AND PAROLE, AND THE APPLICANT HAS NOT BEEN CHARGED WITH ANOTHER CRIME OTHER THAN A MINOR TRAFFIC VIOLATION, AS DEFINED IN § 10–101 OF THIS ARTICLE, DURING THAT TIME, A DEPARTMENT MAY NOT DENY AN OCCUPATIONAL LICENSE OR CERTIFICATE TO THE APPLICANT SOLELY ON THE BASIS THAT THE APPLICANT WAS PREVIOUSLY CONVICTED OF THE CRIME.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 88 – Delegates Charkoudian, Acevero, Boyce, Bridges, Crutchfield, Dumais, Hettleman, Kelly, Kerr, Korman, R. Lewis, Lierman, Love, Moon, Mosby, Stewart, Washington, Wells, and Wilkins**

AN ACT concerning

**Criminal Law – Alcohol Offenses – Civil Offenses**
**(Decriminalization of Petty Nonviolent Offenses Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 549 – Delegates Lisanti, Healey, Krebs, R. Lewis, and Miller**

AN ACT concerning

**Alcoholic Beverages – Class 1 Distillery License – On–Site Consumption Permit**

**HB0549/533993/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 549
(First Reading File Bill)

On page 1, in the sponsor line, after "Delegates" insert "Miller,"; and in the same line, strike "Miller" and substitute "Mautz".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 550 – Delegates Lisanti, Krebs, and R. Lewis**

AN ACT concerning

**Alcoholic Beverages – Class 9 Limited Distillery License – On–Premises Consumption Permit**

**HB0550/603196/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 550
(First Reading File Bill)

On page 1, in the sponsor line, after "Delegates" insert "R. Lewis,"; and in the same line, strike "R. Lewis" and substitute "Mautz".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 994 – Delegates Mosby, Acevero, Barron, Boyce, Bridges, Brooks, Charles, W. Fisher, Holmes, Ivey, Lierman, Moon, Pena–Melnyk, Proctor, Sample–Hughes, Smith, Turner, Wells, and Wilkins**

AN ACT concerning

**Labor and Employment – Criminal Record Screening Practices (Ban the Box)**

**HB0994/333791/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 994
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 7 down through "action;" in line 12 and substitute "including on certain application forms a question or other request for information regarding whether the applicant for employment has a criminal record or has had criminal accusations brought against the applicant;"; strike beginning with "authorizing" in line 13 down through "relief;" in line 18; and in lines 19 and 20, strike "establishing certain penalties;" and substitute "requiring the Commissioner to issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain civil penalty for certain violations of this Act under certain circumstances; requiring the Commissioner to consider certain factors in determining the amount of a certain penalty; subjecting the assessment of a certain penalty to certain requirements; providing for the construction of this Act;".

On page 2, in line 2, strike "3–1406" and substitute "3–1405".

AMENDMENT NO. 2

On page 4, in line 9, after "**INCLUDES**" insert "**:**

**(I) A UNIT OF STATE OR LOCAL GOVERNMENT; AND**

**(II)**";

in line 20, before "**THIS**" insert "**(A)**"; in line 23, strike "**FEDERAL, STATE, OR LOCAL**" and substitute "**FEDERAL OR STATE**"; and after line 26, insert:

"**(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO PREEMPT A LOCAL JURISDICTION FROM ENACTING OR ENFORCING A LAW THAT IS MORE RESTRICTIVE WITH RESPECT TO CRIMINAL RECORD SCREENING PRACTICES OF EMPLOYERS IN THE LOCAL JURISDICTION.**".

On page 5, in line 1, strike "**(A)**"; strike beginning with the comma in line 1 down through "**APPLICANT**" in line 14 and substitute "**INCLUDE ON A PAPER OR ELECTRONIC APPLICATION FORM A QUESTION OR OTHER REQUEST FOR INFORMATION REGARDING WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT**"; strike in their entirety lines 16 through 25, inclusive; and in line 30, strike "**3–1406.**" and substitute "**3–1405.**".

On page 6, strike in their entirety lines 1 through 8, inclusive, and substitute:

"**(A) IF THE COMMISSIONER DETERMINES THAT AN EMPLOYER HAS VIOLATED ANY PROVISION OF THIS SUBTITLE, THE COMMISSIONER:**

**(1) SHALL ISSUE AN ORDER COMPELLING COMPLIANCE; AND**

**(2) FOR A SUBSEQUENT VIOLATION, MAY, IN THE COMMISSIONER'S DISCRETION, ASSESS A CIVIL PENALTY OF UP TO $300 FOR EACH APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH RESPECT TO WHOM THE EMPLOYER VIOLATED ANY PROVISION OF THIS SUBTITLE.**

**(B) IN DETERMINING THE AMOUNT OF THE PENALTY, IF ASSESSED, THE COMMISSIONER SHALL CONSIDER:**

**(1) THE GRAVITY OF THE VIOLATION;**

**(2) THE SIZE OF THE EMPLOYER'S BUSINESS;**

**(3) THE EMPLOYER'S GOOD FAITH; AND**

**(4) THE EMPLOYER'S HISTORY OF VIOLATIONS UNDER THIS SUBTITLE.**

**(C) THE ASSESSMENT OF A PENALTY UNDER SUBSECTION (A)(2) OF THIS SECTION SHALL BE SUBJECT TO THE NOTICE AND HEARING REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1081 – Delegates Charkoudian, Arentz, B. Barnes, Barve, Branch, Brooks, Carey, Dumais, Howard, Miller, Valderrama, and Wilson**

AN ACT concerning

**State Board of Public Accountancy – Firm Permits – Attest Services**

**HB1081/423292/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1081
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, and Qi".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1228 – Delegates Arentz, Ghrist, Jacobs, and Miller**

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Relationships, Continuing Education, and Disclosures**

**HB1228/243593/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1228
(First Reading File Bill)

On page 2, in line 18, strike "**[**an agency" and substitute "**A**"; in line 19, strike "engaged" and substitute "**AUTHORIZED**"; and strike beginning with the closing bracket in line 20 down through "**TRANSACTION**" in line 22.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1231 – Delegate Adams**

AN ACT concerning

**Real Property – Construction Contracts – Retention Proceeds**

**HB1231/743696/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1231
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, after "proceeds" insert "retained by an owner".

AMENDMENT NO. 2
On page 3, in line 17, after "**RETAINED**" insert "**BY AN OWNER**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 12

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1266 – Delegates Washington, B. Barnes, Charles, D.E. Davis, Fennell, W. Fisher, Gaines, Ivey, Jackson, Jones, Korman, Proctor, and Turner**

AN ACT concerning

**National Capital Strategic Economic Development Program – Established**

**HB1266/924264/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1266
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Gaines" insert ", Healey"; in the same line, strike "and Turner" and substitute "Turner, and Valentino–Smith"; in line 6, strike "housing authorities" and substitute "government agencies, including housing authorities"; in line 21, after "annual" insert "operating or"; and in the same line, strike "bill".

AMENDMENT NO. 2

On page 3, strike beginning with "**THE**" in line 7 down through the second "**COUNTY**" in line 8 and substitute "**THE AREAS OF THE STATE LOCATED WITHIN:**

**(1) THE BOUNDARY CREATED BY INTERSTATE 495 IN THE STATE AND THE DISTRICT OF COLUMBIA; AND**

**(2) ANY QUALIFIED OPPORTUNITY ZONE DESIGNATED UNDER § 1400Z–1 OF THE INTERNAL REVENUE CODE IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY**".

On page 4, in line 19, strike "**HOUSING AUTHORITY LOCATED**" and substitute "**GOVERNMENT AGENCY, INCLUDING A HOUSING AUTHORITY, WITH JURISDICTION**"; and in line 21, after "**AUTHORITY**" insert "**THAT OPERATES**".

On pages 4 and 5, strike beginning with "**OR**" in line 29 on page 4 down through "**COUNTY**" in line 2 on page 5.

On page 5, in line 17, strike "**HOUSING AUTHORITY LOCATED**" and substitute "**GOVERNMENT AGENCY, INCLUDING A HOUSING AUTHORITY, WITH JURISDICTION**"; and in line 19, after "**AUTHORITY**" insert "**THAT OPERATES**".

AMENDMENT NO. 3

On page 12, in line 12, after the first "**THE**" insert "**ANNUAL OPERATING OR**"; and in the same line, strike "**BILL**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 22

**House Bill 425 – Delegates Sydnor and Pena–Melnyk**

AN ACT concerning

**Civil Actions – Unfair, Abusive, or Deceptive Trade Practices by Mortgage Servicer – Statute of Limitations**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Clippinger moved to reconsider the vote by which the Committee Amendments were adopted.

The motion was adopted.

**HB0425/462110/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 425
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "retroactive".

AMENDMENT NO. 2

On page 2, in line 17, strike "**LATER**" and substitute "**EARLIER**"; in line 18, strike "**12**" and substitute "**7**"; and strike beginning with "**3**" in line 20 down through "**PRACTICE**" in line 22 and substitute "**IF THE MORTGAGE SERVICER DISCLOSES ITS UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE TO THE HOMEOWNER, 3 YEARS AFTER THE DISCLOSURE TO THE HOMEOWNER**".

AMENDMENT NO. 3

On page 2, strike beginning with "revive" in line 24 down through "2019" in line 25 and substitute "any action not yet barred by the application of the period of limitations applicable before the effective date of this Act"; and in line 27, strike "October" and substitute "June".

The preceding 3 amendments were withdrawn.

SUBSTITUTE COMMITTEE AMENDMENT

**HB0425/492817/1**

BY: House Judiciary Committee

SUBSTITUTE AMENDMENTS TO HOUSE BILL 425
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "retroactive".

AMENDMENT NO. 2

On page 2, in line 17, strike "**LATER**" and substitute "**EARLIER**"; in line 18, strike "**12**" and substitute "**5**"; strike beginning with "**3**" in line 20 down through "**PRACTICE**" in line 22 and substitute "**IF THE MORTGAGE SERVICER DISCLOSES ITS UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE TO THE HOMEOWNER, 3 YEARS AFTER THE DISCLOSURE TO THE HOMEOWNER**".

AMENDMENT NO. 3

On page 2, strike beginning with "retroactively" in line 24 down through "2019" in line 25 and substitute "only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 31

**Senate Bill 541 – Senators Lam ~~and Nathan–Pulliam~~, Nathan–Pulliam, Pinsky, Bailey, Carozza, Ellis, Gallion, Kagan, Patterson, Simonaire, and Young**

AN ACT concerning

**Education – Personnel Matters – Child Sexual Abuse and Sexual Misconduct Prevention**

FOR the purpose of requiring county boards of education, nonpublic schools, and certain contracting agencies to require an applicant for a position involving direct contact with minors to provide certain information; requiring the county board, nonpublic school, or contracting agency to conduct a certain review of the employment history of a certain applicant; requiring the county board, nonpublic school, or contracting agency to check certain eligibility of a certain applicant; requiring certain employers to disclose certain information within a certain time period; requiring certain employers to disclose certain supplemental information within a certain time period to certain parties; ~~authorizing a county board, nonpublic school, or contracting agency to hire an applicant on a certain provisional basis under certain circumstances;~~ requiring the county board, nonpublic school, or contracting agency to conduct a certain review of the employment history of a certain applicant for a substitute position; requiring a certain contracting agency to perform a certain review before making a certain assignment; requiring a certain contracting agency to maintain certain records; requiring a certain contracting agency to inform the county board or nonpublic school of certain information; prohibiting a certain contracting agency from assigning a certain employee to perform certain work under certain circumstances; providing that certain information received is not subject to the Maryland Public Information Act; authorizing a county board, nonpublic school, or contracting agency to use certain information and records received in a certain manner and to report certain information to certain entities under certain circumstances; prohibiting a county board, nonpublic school, or contracting agency from entering into a certain agreement under certain circumstances; providing that

a certain agreement is void and unenforceable under certain circumstances; requiring the State Department of Education to notify certain entities within a certain time period if there is a lapse or suspension in the use of certain screening systems; providing that a certain applicant shall be subject to certain discipline under certain circumstances; providing for a certain immunity from criminal and civil liability; providing for the construction of this Act; authorizing the Department to initiate certain disciplinary action under certain circumstances and to adopt certain regulations; defining certain terms; and generally relating to hiring school employees.

BY adding to
Article – Education
Section 6–113.2
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

## MESSAGE FROM THE SENATE
## INTRODUCTORY SENATE BILLS NO. 32

**Senate Bill 47 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Health Insurance – Technical Correction and Required Conformity With Federal Law**

FOR the purpose of repealing an obsolete provision of law relating to certification of creditable coverage; requiring a certain carrier to provide an open enrollment period for certain individuals who lose access to health care services through ~~certain coverage provided to a pregnant woman's unborn child~~ a certain program, which is considered to occur on a certain date; requiring a certain carrier to provide an open enrollment period for certain individuals who lived in a service area where a certain qualified health plan was not available during a certain period of time; altering the definition of "full–time employee" for the purposes of certain provisions of law governing the Maryland Health Benefit Exchange; and generally relating to health insurance and required conformity with federal law.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1202 ~~and~~, 15–1208.2(d)(4)(ii) and (x), and 31–101(e–1)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1208.2(d)(1)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 96 – Senators Washington, Carter, Ferguson, Hayes, ~~and McCray~~ McCray, and Nathan–Pulliam**

AN ACT concerning

**Baltimore City – Tax Sales of Real Property – Water Liens**
**(Water Taxpayer Protection Act of 2019)**

FOR the purpose of requiring the collector in Baltimore City to withhold from tax sale certain places of worship if the taxes on the property consist only of a lien for unpaid charges for water and sewer service; repealing the authority of the Mayor and City Council of Baltimore City to sell certain properties to enforce a lien for unpaid charges for water and sewer service if the properties are also being sold to enforce another lien; repealing the authority of the Mayor and City Council of Baltimore City to sell certain ~~places of worship~~ real property owned by religious groups or organizations to enforce a lien for unpaid charges for water and sewer service; repealing the authority of Baltimore City to enforce a water and sewer service lien on residential property if the property is being sold to enforce another lien; providing that this Act does not affect other rights or remedies of Baltimore City to collect unpaid charges for water and sewer service~~, subject to a certain exception~~; ~~prohibiting Baltimore City from acquiring residential property and places of worship by means of execution of a judgment under certain circumstances;~~ repealing a certain termination provision relating to the authority of Baltimore City to sell real property to enforce a water and sewer service lien; providing for the application of certain provisions of this Act; and generally relating to tax sales of real property in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–811(b) and 14–849.1
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 714 of the Acts of the General Assembly of 2018
Section 3

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

**Senate Bill 102 – Senator Zirkin**

AN ACT concerning

**Courts – Direct Action Against Automobile Insurer**

FOR the purpose of requiring ~~a certain~~ an automobile insurance policy issued, sold, or delivered in the State to be construed to make the insurer directly liable, within the terms and limits of the policy, to certain third–party claimants; providing that a third–party claimant has a right of direct action against a certain insurer subject to certain requirements; authorizing a third–party claimant to bring an action against ~~certain parties under certain circumstances~~ an insurer alone if the third–party claimant agrees to cap recovery at applicable policy limits; providing that, notwithstanding certain joint and several liability, a certain insurer is not liable for more than a certain policy limit; establishing that an action brought by a third–party claimant is subject to certain defenses; defining certain terms; making certain technical and conforming changes; altering the applicability of certain provisions of law; providing for the application of this Act; and generally relating to direct actions by third–party claimants against automobile insurers.

BY renumbering
Article – Courts and Judicial Proceedings
Section 3–1701
to be Section 3–1702
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1701 and 3–1703
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1702(a) through (c)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–118
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 27–1001(b), (c)(1), (d)(1), and (h)(1) and (2)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 299 – Senators Benson, Kagan, Lam, and Nathan–Pulliam**

AN ACT concerning

**Tanning Devices – Use by Minors**

FOR the purpose of repealing the exemption authorizing a parent or legal guardian of certain minors to provide certain written consent for the minor to use a tanning device; requiring owners, employees, and operators of tanning facilities to ensure that a certain notice is posted in a certain manner in the facility; requiring the Maryland Department of Health to develop and make available to each tanning facility a notice that includes certain information; providing that this Act does not apply to the use of phototherapy devices by a ~~physician~~ certain health care practitioner or by order of a ~~physician~~ certain health care practitioner; providing that a certain provision of this Act may not be construed to authorize a ~~physician to prescribe to~~ prescription to be written for a minor for the use of a tanning device; defining a certain term; and generally relating to the use of tanning devices by minors.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–106
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 437 – Senator Edwards**

AN ACT concerning

**Allegany County – Video Lottery Terminals – Distribution of Proceeds**

FOR the purpose of repealing the alteration of the distribution of proceeds from video lottery terminals at a facility in Allegany County after a certain number of years of operations at the facility; making conforming changes; and generally relating to the distribution of proceeds from video lottery terminals at a facility in Allegany County.

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–1A–01(u)(3)(ii), 9–1A–26(a)(3), and 9–1A–27(b) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–27(a)(7)(iii)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 466 – Senators King, Kagan, and Zucker**

AN ACT concerning

**Hotel Rental Tax – Limitation of Municipal Authority to Tax Small Hotels – Repeal**

FOR the purpose of repealing a limitation on the authority of certain municipalities to impose a hotel rental tax on hotels with fewer than a certain number of sleeping rooms; and generally relating to the municipal hotel rental tax.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 20–432
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

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

**Senate Bill 471 – Senators Pinsky, Nathan–Pulliam, Ferguson, King, Lam, Lee, Rosapepe, Smith, Washington, and Young**

AN ACT concerning

**Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements**

FOR the purpose of clarifying a certain prohibition on administering a medically important antimicrobial drug in a regular pattern to certain cattle, swine, or poultry; exempting dairy cattle on a farm operation with a certain herd size from certain provisions of law concerning the use of medically important antimicrobial drugs; prohibiting the administration of a medically important antimicrobial drug to certain cattle, swine, or poultry unless ordered by a licensed veterinarian in a certain manner; setting certain limits on the length of time for which a medically important antimicrobial

drug may be administered; requiring the Department of Agriculture to adopt certain regulations regarding the routine administration of a medically important antimicrobial drug to dairy cattle entering a dry cycle on or before a certain date; requiring a certain ~~owner~~ veterinarian to submit a copy of a certain prescription or veterinary feed directive and a certain accounting to the Department ~~of Agriculture~~ on or before a certain date each year; requiring the Department to include certain information in a certain annual report, on or before a certain date; requiring certain reported information to be disaggregated by county except under certain circumstances; requiring the Department to maintain certain records and information in a certain manner and for a certain amount of time; specifying that a certain penalty may be imposed per violation; requiring the Department to provide written notice of the requirements of this Act to each owner that may be affected by this Act on or before a certain date; requiring the notice to be sent in a certain manner; altering certain definitions; defining certain terms; and generally relating to the use of medically important antimicrobial drugs in cattle, swine, and poultry.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 3–1001 through 3–1005
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 3–1006
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 490 – Senator Kagan**

SECOND PRINTING

AN ACT concerning

**Consumer Protection – Scanning or Swiping Identification Cards and Driver's Licenses – Prohibition**

FOR the purpose of prohibiting a person from using a scanning device to scan or swipe an identification card or a driver's license of an individual to obtain the personal information of the individual; prohibiting a person from retaining, selling, or transferring to another person any information collected from scanning or swiping an individual's identification card or driver's license under certain circumstances; making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions; defining a certain term; providing for the application of this Act;

providing that this Act does not prohibit certain actions; and generally relating to scanning or swiping identification cards and driver's licenses.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY adding to
Article – Commercial Law
Section 14–1327
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 509 – Senators Eckardt, Ferguson, Rosapepe, Serafini, ~~and Washington~~ Washington, and Salling**

AN ACT concerning

**Property Tax – In Rem Foreclosure ~~and Sale~~ – Vacant and Abandoned Property**

FOR the purpose of requiring a tax collector to withhold from tax sale certain real property designated by a county or municipal corporation for sale under a certain process; authorizing a county or municipal corporation to initiate an in rem foreclosure and sale of certain real property for delinquent taxes; ~~requiring~~ authorizing a county or municipal corporation to enact certain laws authorizing in rem foreclosure and sale of certain real property; ~~requiring~~ authorizing the county or municipal corporation to commence an in rem foreclosure action; prohibiting the county or municipal corporation from commencing an in rem foreclosure action until tax on real property has been delinquent for a certain period and the right to appeal a certain notice has tolled; ~~requiring the county or municipal corporation to send certain notice to certain taxing agencies before filing a certain complaint; requiring a taxing agency receiving a certain notice to certify certain information to the county or municipal corporation within a certain period of time;~~ requiring certain taxes to be included in the foreclosure action; ~~requiring a county or municipal corporation to obtain a certain lien release or make a certain payment before filing a certain action;~~ requiring the county or municipal corporation to file the foreclosure action in a certain circuit court and send notice and a copy of the complaint to each interested party within a certain period of time and in a certain manner; requiring the complaint for an in rem foreclosure to include certain information; allowing the complaint for an in rem foreclosure to be amended for certain purposes; providing that an interested party has a certain right to cure certain delinquent taxes and liens on the real property under certain circumstances; requiring a hearing on the in rem foreclosure complaint to be conducted at a certain time; providing that an interested party has the right to

be heard at the hearing; requiring the court to enter a certain judgment on a certain finding; requiring the judgment to be recorded in certain land records; providing that title acquired in a certain foreclosure proceeding shall be a certain absolute or fee simple title except under certain circumstances; providing that a judgment in an action under this Act is binding and conclusive, regardless of legal disability, on certain persons; ~~requiring the county or municipal corporation to sell at public auction real property after entry of a certain judgment; specifying the time of the sale; specifying the minimum bid for the sale; requiring the property to be sold to the highest bidder; authorizing a county or municipal corporation to bid the minimum bid under certain circumstances; requiring the county or municipal corporation to deposit certain excess bid amounts in escrow; requiring certain funds to be distributed to interested parties in a certain manner; requiring the county or municipal corporation to provide certain notice to the court of a sale; establishing that a sale of certain properties is final and binding requiring the county or municipal corporation to report certain information to the court; requiring the Court of Appeals to adopt certain rules; prohibiting a county or municipality from filing an in rem foreclosure action in accordance with this Act until the Court of Appeals have adopted certain rules;~~ defining certain terms; and generally relating to in rem foreclosure ~~and sale~~ of tax delinquent vacant and abandoned property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–801(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–811(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Tax – Property
Section 14–811(e) and 14–873 through ~~14–878~~ 14–876 to be under the new part "Part V. Judicial In Rem Tax Foreclosure"
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 517** – ~~**Senator Feldman**~~ **Senators Feldman and Hershey**

AN ACT concerning

~~**Electricity – Customer Choice – Education**~~
**Public Utilities – Electricity and Natural Gas Suppliers – Information**

FOR the purpose of requiring the Public Service Commission to establish ~~a~~ certain customer choice ~~website~~ websites for electric and natural gas customers; specifying the contents of ~~the website~~ certain websites; requiring the Commission to use certain information to maintain the information on ~~the website~~ certain websites; requiring the Commission to include certain information on a certain customer education webpage; requiring each electricity or natural gas supplier that is actively seeking customers in a service territory in the State to maintain at least one open offer on the Commission's website at all times; requiring the Commission to recover certain costs in accordance with a certain provision of law; stating the intent of the General Assembly; requiring the Commission to include certain information in certain reports to the General Assembly and certain committees; encouraging the Commission to review and consult with certain entities for certain purposes; making stylistic changes; and generally relating to the Public Service Commission and ~~electric customer choice.~~ electricity and natural gas supplier information.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–501(a), (e), and (f)
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–510.1
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY adding to
Article – Public Utilities
Section 7–510.2 and 7–604.1
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

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

**Senate Bill 520 – Senators Kramer, Augustine, Beidle, Benson, Feldman, Hayes, and Klausmeier**

AN ACT concerning

**Electricity – Community Solar Energy Generating Systems Pilot Program – Extension**

FOR the purpose of prohibiting the imposition of a maximum number of subscribers to a community solar energy generating system under the Community Solar Energy Generating Systems Pilot Program; providing for an increase in the generating

capacity and capacity limits to be included in the pilot program; altering the termination date of the pilot program; altering the submission date of a certain report on the pilot program to certain committees of the General Assembly; and generally relating to the Community Solar Energy Generating Systems Pilot Program.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–306.2(a) and (d)
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 346 of the Acts of the General Assembly of 2015
Section 2(c)

BY repealing and reenacting, with amendments,
Chapter 347 of the Acts of the General Assembly of 2015
Section 2(c)

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

**Senate Bill 523 – Senators Beidle and Feldman**

AN ACT concerning

**Insurance – Investments of Insurers Other Than Life Insurers – Real Estate**

FOR the purpose of requiring that certain reserve investments serve a certain purpose; authorizing certain reserve investments to include fee simple or improved leasehold real estate or interests in limited partnerships formed for a certain purpose only under certain circumstances; prohibiting the cost of certain reserve investments, alone or in combination with the value of certain other real estate, from exceeding certain percentages of the admitted assets of a certain insurer; requiring that certain reserve investments be valued in a certain manner and at a certain rate except as otherwise required by the Maryland Insurance Commissioner; prohibiting the admitted value of certain reserve investments from exceeding the depreciated value of the property; and generally relating to real estate investments of insurers other than life insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–605(a) and 5–608(n)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 561 – Senators Ready, Carozza, and Eckardt**

AN ACT concerning

**Criminal Law – ~~Homicide – Fetus~~ Crime of Violence Against Pregnant Person – Enhanced Penalty**
**(Laura and Reid's Law)**

FOR the purpose of ~~expanding the application of certain provisions relating to a prosecution for murder or manslaughter of a certain viable fetus to a prosecution for murder or manslaughter of a certain fetus; requiring knowledge that a certain mother was pregnant for a certain murder or manslaughter prosecution; providing for the construction of a certain provision of law; defining a certain term; and generally relating to homicide.~~ providing for an enhanced penalty for a person who commits a certain crime against another person when the person knows that the other person is pregnant; providing that a court may impose the enhanced penalty under certain circumstances; requiring a State's Attorney to provide certain notice under certain circumstances; authorizing the State's Attorney to provide notice in a certain manner; providing that the enhanced penalty under this Act is separate from and consecutive to a sentence for a certain other sentence; and generally relating to crimes of violence against pregnant persons.

~~BY repealing and reenacting, with amendments,~~
~~Article – Criminal Law~~
~~Section 2–103~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2018 Supplement)~~

BY adding to
Article – Criminal Law
Section 14–104
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 596 – Senator McCray**

AN ACT concerning

**Alcoholic Beverages – Mead – Definition and Tax Rate**

FOR the purpose of including mead within the definition of beer for certain purposes; assigning a certain tax rate for mead; defining certain terms; and generally relating to alcoholic beverages.

BY renumbering
Article – Alcoholic Beverages
Section 1–101(t) through (ee), respectively
to be Section 1–101(u) through (ff), respectively
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 1–101(a)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 1–101(c)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 1–101(t)
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 5–105
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

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

**Senate Bill 607 – Senators Hester, Benson, Feldman, Smith, and Washington**

AN ACT concerning

**Homeowner's Insurance – Discrimination in Underwriting and Rating – Status as Surviving Spouse**

FOR the purpose of prohibiting an insurer, with respect to homeowner's insurance, from increasing the premium of an insured who becomes a surviving spouse based solely on the insured's change in marital status; providing for a delayed effective date; and generally relating to homeowner's insurance.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 27–501(e–2)(1) and (2)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY ~~repealing and reenacting, with amendments,~~ adding to
Article – Insurance
Section ~~27–501(e–2)(2)~~ 27–501(e–2)(7)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 622 – Senator Carter**

AN ACT concerning

**~~Office of the Attorney General~~ Governor's Office of Crime Control and Prevention – Crime Firearms – Study**

FOR the purpose of requiring the ~~Office of the Attorney General~~ Governor's Office of Crime Control and Prevention to study and compile information regarding certain matters that relate to certain crime firearms; requiring the Department of State Police to provide certain information for the study; requiring the ~~Office of the Attorney General~~ Governor's Office of Crime Control and Prevention to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; defining a certain term; and generally relating to firearms.

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

**Senate Bill 634 – ~~Senator~~ Senators Eckardt and Hershey**

AN ACT concerning

**Electric Cooperatives – Powers – Conducting or Communications Facilities**

FOR the purpose of authorizing an electric cooperative to construct, maintain, or operate or allow others to construct, maintain, or operate certain conducting or communications facilities along, on, under, or across certain property under certain circumstances; requiring an electric cooperative to allocate certain costs in a certain manner and for a certain purpose; and generally relating to the powers of electric cooperatives.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–607
Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

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

**Senate Bill 651 – Senator Young**

AN ACT concerning

**Election Law – Local Boards of Elections – Membership**

FOR the purpose of altering the number of regular members of certain local boards of elections; repealing the position of substitute member of certain local boards; requiring the members of certain local boards to be of certain political parties; requiring that a vacancy on certain local boards be filled in a certain manner; making conforming and clarifying changes; and generally relating to the membership of local boards of elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201, 2–204(b), and 11–301(f)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**Senate Bill 694 – Senators Kramer, Feldman, Hayes, Hershey, Jennings, and Kelley**

AN ACT concerning

**Commercial Law – Credit Card Processors – ~~Service~~ Merchant Processing Agreements**

FOR the purpose of ~~requiring~~ prohibiting a credit card processor ~~to send a summary of a certain services agreement to certain businesses; requiring a business to acknowledge a certain services agreement by signing, dating, and returning a copy of the summary of the services agreement to a certain credit card processor before entering into a services agreement with the credit card processor~~ from assessing or charging certain fees under certain circumstances; requiring ~~the summary~~ a merchant processing agreement to include certain information; requiring ~~a credit card processor to provide a certain notice regarding a services agreement renewal before a certain date; requiring the notice to disclose certain information~~ that certain information be provided in a certain manner in the merchant processing agreement; authorizing the Commissioner of Financial Regulation to take certain actions; ~~establishing certain civil penalties for a violation of this Act;~~ providing for the application of this Act; defining certain terms; and generally relating to credit card processors and ~~service~~ merchant processing agreements.

BY adding to
Article – Commercial Law
Section 12–1401 through ~~12–1405~~ 12–1404 to be under the new subtitle "Subtitle 14. Credit Card Processors"
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 732 – Senators Zucker, Feldman, Carozza, Guzzone, Peters, ~~and Serafini~~ Serafini, West, Washington, Waldstreicher, Cassilly, Lee, Smith, Zirkin, Hough, Carter, Ready, and Hester**

AN ACT concerning

**Child in Need of Assistance – Guardianship by Local Department – ~~ABLE~~ Financial Accounts**

FOR the purpose of ~~authorizing~~ requiring a court to issue a certain order on request of a local department of social services that has been granted certain guardianship over a child in need of assistance to have control over the property of the child for the purpose of establishing a certain ~~ABLE account~~ account or trust on behalf of the child; requiring an order authorizing a local department of social services to have control of the property of the child for the purpose of establishing a certain account or trust on behalf of the child to include certain provisions; and generally relating to children in need of assistance and the establishment of ABLE accounts.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(f), (g), and (p), 3–802(c), and 3–819(b)(1)(iii) and (c)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–819(g)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

**Senate Bill 767 – Senator Smith**

AN ACT concerning

**Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis**

FOR the purpose of requiring a sexual assault evidence collection kit to be submitted to a forensic laboratory for analysis unless a certain requirement is met; requiring a certain victim to be ~~given the option to consent to submission of a certain sexual assault evidence collection kit for analysis without making a certain commitment~~ informed that the victim may initiate a criminal complaint under certain circumstances; authorizing the termination or discontinuance of testing of a sexual assault evidence collection kit under certain circumstances; requiring a certain law enforcement agency that receives a sexual assault evidence collection kit to take certain actions under certain circumstances; requiring a forensic laboratory that receives a sexual assault evidence collection kit for analysis to take certain actions ~~within a certain number of days of receipt~~ in a timely manner; providing that the failure to take certain actions in a timely manner may not constitute the basis for excluding certain evidence; requiring that the eligible results of a certain analysis be entered into the Combined DNA Index System (CODIS); requiring a forensic laboratory to report to the Maryland Sexual Assault Evidence Kit Policy and Funding Committee annually regarding the duration necessary to complete testing of sexual assault evidence collection kits; prohibiting a certain use of a certain victim's DNA under certain circumstances; requiring the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to establish a certain process to review and make recommendations regarding a certain decision of a law enforcement agency; requiring the Attorney General to adopt certain regulations on or before a certain date; providing for a delayed effective date; and generally relating to sexual assault evidence collection kits.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–926 and 11–927(e)(1)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–927(a)
Annotated Code of Maryland
(2018 Replacement Volume)

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

**Senate Bill 780 – Senator Waldstreicher**

AN ACT concerning

**Transfer Tax – Transfers by Governmental Entities**

FOR the purpose of clarifying certain provisions of law relating to the application of the transfer tax to certain instruments of writing that transfer property from or to

certain governmental entities; and generally relating to exemptions from the transfer tax.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–207(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Tax – Property
Section 13–207(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

**Senate Bill 847 – Senators Ferguson, Hayes, ~~and Nathan–Pulliam~~ Nathan–Pulliam, Carter, and Washington**

AN ACT concerning

**Baltimore Police Department – Commission to Restore Trust in Policing – ~~Extension and Funding~~ Alterations**

FOR the purpose of altering a certain requirement regarding the confidentiality of certain proceedings, testimony, and other evidence; prohibiting certain members and staff of the Commission to Restore Trust in Policing from being required to sign a certain confidentiality agreement; altering the due date for a certain report that the Commission to Restore Trust in Policing is required to submit to the Governor and the General Assembly; altering the termination date for the Commission to Restore Trust in Policing; requesting and encouraging the Governor to appropriate certain funds for certain fiscal years for a certain purpose; and generally relating to the Commission to Restore Trust in Policing.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section ~~(71)(m)~~ (71)(h) and (m)
(2007 Replacement Volume, as amended)
(As enacted by Chapter 753 of the Acts of the General Assembly of 2018)

BY repealing and reenacting, with amendments,
Chapter 753 of the Acts of the General Assembly of 2018
Section 4

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

**Senate Bill 856** – ~~**Senator Zirkin**~~ **Senators Zirkin, Smith, Carter, Cassilly, Ferguson, Hester, Hough, Lee, Ready, Waldstreicher, Washington, and West**

AN ACT concerning

**Juvenile Justice Reform Council**

FOR the purpose of establishing the Juvenile Justice Reform Council in the Governor's Office of Crime Control and Prevention; providing for the composition, chair, and staffing of the Council; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Council; requiring the Council to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Juvenile Justice Reform Council.

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

**Senate Bill 857** – **Senator Zirkin**

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission – ~~Food Containing Medical Cannabis~~ Edible Cannabis Products**

FOR the purpose of requiring the Natalie M. LaPrade Medical Cannabis Commission to allow certain dispensaries and dispensary agents to acquire, possess, ~~process,~~ transfer, transport, sell, distribute, or dispense ~~food containing medical cannabis~~ edible cannabis products for use by a qualifying patient or caregiver; requiring the Commission, in consultation with the Maryland Department of Health, to adopt certain regulations; requiring the Commission to allow certain processors and processor agents to acquire, possess, process, package, label, transfer, transport, sell, and distribute to a dispensary ~~food containing medical cannabis~~ edible cannabis products for use by a qualifying patient or caregiver; requiring the Commission to allow certain processors and processor agents to transport ~~food containing medical cannabis~~ edible cannabis products to an independent testing laboratory; defining a certain term; making technical corrections; and generally relating to the processing and distribution of ~~food containing medical cannabis~~ edible cannabis products.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–3301(a)~~, (e),~~ and (f), 13–3307(a)(1), and 13–3309(a)~~, and 21–101(a) and (i)~~
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3301(e) and (g) through (n), 13–3307(e) through (i), and 13–3309(e) through (h)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 13–3301(g), 13–3307(e) and (i), and 13–3309(e) and (i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 13–3301(g) through (n), 13–3307(e) through (i), and 13–3309(e) through (h)~~
~~Annotated Code of Maryland~~
~~(2015 Replacement Volume and 2018 Supplement)~~

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

**Senate Bill 893 – Senator Zirkin**

AN ACT concerning

**Medical Cannabis – Provider Applications – Opioid Use Disorder**

FOR the purpose of encouraging the Natalie M. LaPrade Medical Cannabis Commission to approve provider applications for patients who have an opioid use disorder only under certain circumstances; and generally relating to provider applications for medical cannabis for patients with an opioid use disorder.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3304(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

**Senate Bill 947 – Calvert County Senators**

AN ACT concerning

**Calvert County – Correctional Officers' Bill of Rights**

FOR the purpose of applying the provisions of the Charles County Correctional Officers' Bill of Rights to Calvert County; and generally relating to rights of a correctional officer in Calvert County.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1102 to be under the amended subtitle "Subtitle 11. Calvert County and Charles County Correctional Officers' Bill of Rights"
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 11–1104
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

## QUORUM CALL

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

(See Roll Call No. 522)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 47

**House Bill 275 – Delegates Stein, Bagnall, Brooks, D.E. Davis, Ebersole, Fraser–Hidalgo, Gilchrist, Healey, Hettleman, Holmes, Jones, Lafferty, Lehman, R. Lewis, Lisanti, Moon, ~~and Stewart~~ Stewart, Carr, Shetty, and Solomon**

AN ACT concerning

**Pesticides – Use of Chlorpyrifos – Prohibition**

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

Affirmative – 90 Negative – 44 (See Roll Call No. 523)

The Bill was then sent to the Senate.

**House Bill 365 – Delegate Bagnall**

AN ACT concerning

**State Grants and Contracts – Reimbursement of Nonprofit Indirect Costs – Application**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 524)

The Bill was then sent to the Senate.

**House Bill 464** – **Delegates Hettleman, Jackson, Jones, Korman, McIntosh, and P. Young**

AN ACT concerning

**Consumer Protection – Private Career Schools and For–Profit Institutions of Higher Education – Disclosures ~~and Regulation~~**

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

Affirmative – 130 Negative – 7 (See Roll Call No. 525)

The Bill was then sent to the Senate.

**House Bill 466** – **Delegates Kerr, Bagnall, Barron, Cain, Chisholm, Cox, Feldmark, Jalisi, Johnson, Kelly, Krebs, Krimm, Lafferty, R. Lewis, Morgan, Pena–Melnyk, Pendergrass, Saab, Sample–Hughes, Shetty, Solomon, Szeliga, C. Watson, ~~and K. Young~~ K. Young, Bhandari, Carr, Charles, Cullison, Hill, Kipke, Metzgar, and Rosenberg**

AN ACT concerning

**Prescription Drug Monitoring Program – Program Evaluation**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the Senate.

**House Bill 518** – **~~Delegates Szeliga, Arikan, Boteler, Brooks, Cardin, Ebersole, Feldmark, Crammer, Guyton, Hettleman, Hill, Impallaria, Lafferty, Long, Mangione, Metzgar, Stein, and P. Young~~ Baltimore County Delegation**

AN ACT concerning

**Public Safety – Agritourism – Permit Exemption**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 527)

The Bill was then sent to the Senate.

**House Bill 595 – Delegates Rogers, Bagnall, B. Barnes, Bartlett, Cain, Carey, Chang, Charkoudian, Crosby, D.E. Davis, Feldmark, Fennell, Glenn, Lisanti, C. Watson, and Wilson**

AN ACT concerning

**Workers' Compensation – Medical Presumptions**

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

Affirmative – 123 Negative – 13 (See Roll Call No. 528)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 59**

**House Bill 640 – Delegates Atterbeary ~~and Dumais~~, Dumais, J. Lewis, Sydnor, Moon, Cardin, Grammer, Bartlett, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty, W. Fisher, and Cox**

AN ACT concerning

**Peace Orders – Workplace Violence**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 529)

The Bill was then sent to the Senate.

**House Bill 871 – Delegates Pippy~~, Atterbeary, Cain~~, Cain, Atterbeary, Cardin, Chang, Cox, Crutchfield, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Mosby, Shetty, Sydnor, R. Watson, ~~and Wilkins~~ Wilkins, Grammer, Bartlett, McComas, Hartman, Arikan, and Malone**

AN ACT concerning

**Criminal Law – Human Trafficking and Prostitution Offenses**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 530)

The Bill was then sent to the Senate.

**House Bill 1206** – **Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke, Palakovich Carr, Patterson, and Rose**

AN ACT concerning

**Maryland Longitudinal Data System Center – Data Matching**

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

Affirmative – 117 Negative – 19 (See Roll Call No. 531)

The Bill was then sent to the Senate.

**House Bill 1259** – **Delegate Ebersole**

AN ACT concerning

**Education – Collective Bargaining for Noncertificated Employees – Supervisory Employees and Management Personnel**

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

Affirmative – 95 Negative – 41 (See Roll Call No. 532)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 55

**House Bill 1172** – ~~**Delegate Cassilly**~~ **Delegates Cassilly ~~and Reilly~~, Reilly, Lisanti, Johnson, Szeliga, Arikan, Hornberger, and McComas**

AN ACT concerning

**Economic Development – Regional Advanced Manufacturing Partnership of Maryland**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the Senate.

**House Bill 1240** – **Delegates Acevero, Bhandari, Haynes, Hettleman, Hill, R. Lewis~~,~~ ~~McKay~~, Reznik, Sample–Hughes, Solomon, Sydnor, Terrasa, and P. Young**

AN ACT concerning

**State Personnel – ~~Maryland Department of Health –~~ Merit Pay ~~Rates~~**

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

Affirmative – 96 Negative – 41 (See Roll Call No. 534)

The Bill was then sent to the Senate.

**House Bill 1243** – **Delegates Attar, Fraser–Hidalgo, Cardin, Lehman, Lierman, ~~and Smith~~ Smith, Barve, Boyce, Bridges, Cassilly, Ciliberti, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Jalisi, Lafferty, Love, Otto, Stein, Stewart, Wells, and Wivell**

AN ACT concerning

**Motor and Electric Scooter Sharing Companies – Nonvisual Access**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 535)

The Bill was then sent to the Senate.

**House Bill 1349** – **Delegates Patterson, Acevero, D. Barnes, Barron, Bartlett, Bridges, Charles, Crosby, Crutchfield, D.M. Davis, Ebersole, Fennell, W. Fisher, Gaines, Glenn, Healey, Hill, Jalisi, Kaiser, Lehman, McComas, McKay, Mosby, Proctor, Queen, Sample–Hughes, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wilkins, and Wilson**

AN ACT concerning

**Public Schools – Students With Sickle Cell Disease – Revisions**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 536)

The Bill was then sent to the Senate.

**House Bill 1404 – Delegates McIntosh, Anderson, Boyce, Bridges, Conaway, Glenn, Haynes, Hettleman, Jalisi, Jones, Lafferty, R. Lewis, Lierman, Mosby, Rosenberg, Smith, ~~and Wells~~ Wells, and Solomon**

AN ACT concerning

**Economic Development – Baltimore Symphony Orchestra – Funding and Workgroup**

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

Affirmative – 106 Negative – 29 (See Roll Call No. 537)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 61

**House Bill 645 – Delegates Jackson, Lisanti, Chang, Fennell, ~~Jackson,~~ Johnson, Krebs, Krimm, Rose, Shoemaker, and P. Young**

SECOND PRINTING

AN ACT concerning

**Local Pension Systems – Special Disability Retirement Allowance**

Delegate McIntosh moved the Bill be recommitted.

The motion was adopted.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 15

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 280 – Senators McCray, Beidle, Benson, Carter, Ellis, Feldman, Guzzone, Hayes, Kagan, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Augustine**

AN ACT concerning

**Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~ (Fight for Fifteen)**

**SB0280/393297/1**
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 280
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "and for certain employers".

On page 2, strike beginning with "requiring" in line 37 down through "website;" in line 38.

On page 3, in line 18, strike "and 3–419(d)".

AMENDMENT NO. 2

On page 4, in lines 26 and 31, in each instance, strike "**5%**" and substitute "**3%**"; and in line 36, strike "**4.5%**" and substitute "**3%**".

On page 5, in lines 12 and 17, in each instance, strike "**4%**" and substitute "**3%**".

On page 7, in line 17, strike "**3.5%**" and substitute "**3%**"; and in line 29, strike "**3.25%**" and substitute "**3%**".

On page 8, in lines 19 and 31, in each instance, strike "**4%**" and substitute "**3%**".

AMENDMENT NO. 3

On pages 15 and 16, strike in their entirety the lines beginning with line 25 on page 15 through line 5 on page 16, inclusive, and substitute:

"(a) In this section, "employer" includes a governmental unit.".

On page 16, in line 22, strike "**(1)**"; strike beginning with "**AND**" in line 22 down through "**SUBSECTION**" in line 23; and in line 27, strike "**(I)**" and substitute "**(1)**".

On page 17, in lines 1, 3, 5, 7, 9, 11, and 13, strike "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively, and substitute "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively.

On pages 17 and 18, strike in their entirety the lines beginning with line 14 on page 17 through line 5 on page 18, inclusive.

On page 20, strike in their entirety lines 23 through 33, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate D.E. Davis moved to put **Senate Bill 280** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 96 Negative – 41 (See Roll Call No. 538)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 280** was placed on Third Reading.

**Senate Bill 280 – Senators McCray, Beidle, Benson, Carter, Ellis, Feldman, Guzzone, Hayes, Kagan, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Augustine**

AN ACT concerning

**Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~ (Fight for Fifteen)**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 93 Negative – 44 (See Roll Call No. 539)

The Bill was then returned to the Senate.

**AMENDED IN THE SENATE**

**House Bill 166 – Delegates Fennell, Hettleman, Acevero, Anderson, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Charkoudian, Charles, Clippinger, Conaway, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, W. Fisher,**

**Fraser–Hidalgo, Gilchrist, Glenn, Harrison, Haynes, Healey, Hill, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena–Melnyk, Pendergrass, Proctor, Qi, Queen, Reznik, Rogers, Rosenberg, Shetty, Smith, Solomon, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, R. Watson, Wells, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~ (Fight for Fifteen)**

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

**HB0166/697470/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 166
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "periods" insert "and for certain employers".

On page 2, in line 42, after "rate;" insert "requiring the Commissioner to adopt certain regulations; requiring the Commissioner to provide a certain notification on a certain website;".

On page 3, in line 23, after "3–413.1" insert "and 3–419(d)".

AMENDMENT NO. 2

On page 4, in lines 31 and 36, in each instance, strike "**3%**" and substitute "**5%**".

On page 5, in line 4, strike "**3%**" and substitute "**4.5%**"; and in lines 17 and 22, in each instance, strike "**3%**" and substitute "**4%**".

On page 7, in line 21, strike "**3%**" and substitute "**3.5%**"; and in line 33, strike "**3%**" and substitute "**3.25%**".

On page 8, in line 24, strike "**3%**" and substitute "**4%**".

On page 9, in line 5, strike "**3%**" and substitute "**4%**".

AMENDMENT NO. 3

On page 16, strike lines 4 through 10, inclusive; and after line 10, insert:

"**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "EMPLOYER" INCLUDES A GOVERNMENTAL UNIT.**

**(3) "SMALL EMPLOYER" MEANS AN EMPLOYER THAT EMPLOYS 14 OR FEWER EMPLOYEES.**";

in line 27, after "(c)" insert "**(1)**"; and in the same line, after "**SUBTITLE**" insert "**AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**".

On page 17, in lines 3, 5, 7, 9, 11, 13, 15, and 17, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively; and after line 17, insert:

"**(2) SUBJECT TO § 3–413.1 OF THIS SUBTITLE, THE STATE MINIMUM WAGE RATE FOR A SMALL EMPLOYER IS:**

**(I) FOR THE 18–MONTH PERIOD BEGINNING JULY 1, 2018, $10.10 PER HOUR;**

**(II) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2020, $11.00 PER HOUR;**

**(III) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2021, $11.50 PER HOUR;**

**(IV) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2022, $12.00 PER HOUR;**

**(V) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2023,**

**$12.50 PER HOUR;**

**(VI) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2024, $13.00 PER HOUR;**

**(VII) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2025, $13.50 PER HOUR;**

**(VIII) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2026, $14.00 PER HOUR;**

**(IX) FOR THE 12–MONTH PERIOD BEGINNING JANUARY 1, 2027, $14.50 PER HOUR; AND**

**(X) BEGINNING JANUARY 1, 2028, $15.00 PER HOUR.**".

On page 20, after line 3, insert:

"3–419.

**(D) (1) THE COMMISSIONER SHALL ADOPT REGULATIONS, IN CONSULTATION WITH PAYROLL SERVICE PROVIDERS AND RESTAURANT INDUSTRY TRADE GROUP REPRESENTATIVES, TO REQUIRE RESTAURANT EMPLOYERS THAT INCLUDE A TIP CREDIT AS PART OF THE WAGE OF AN EMPLOYEE TO PROVIDE TIPPED EMPLOYEES WITH A WRITTEN OR ELECTRONIC WAGE STATEMENT FOR EACH PAY PERIOD THAT SHOWS THE EFFECTIVE HOURLY TIP RATE AS DERIVED FROM EMPLOYER–PAID CASH WAGES PLUS ALL REPORTED TIPS FOR TIP CREDIT HOURS WORKED EACH WORKWEEK OF THE PAY PERIOD.**

**(2) THE COMMISSIONER SHALL PROVIDE NOTIFICATION OF THE TIP CREDIT WAGE STATEMENT REGULATIONS ON THE DEPARTMENT'S WEBSITE.**".

The preceding 3 amendments were read and not concurred in.

## MESSAGE TO THE SENATE

BILL: **HB0166**

SPONSOR: Delegate Fennell, et al
SUBJECT: Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate D.E. Davis, Chair
Delegate Wilson
Delegate Dumais

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 8 CONSENT NO. 1**

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably on all of the following bills:

| BILL NO. | REPORT | SPONSOR | CONTENT |
|---|---|---|---|
| **FAVORABLE** | | | |
| HB 186 | FAV | Prince George's County Delegation | Prince George's County – Alcoholic Beverages – Family Entertainment Permit PG 301–19 |
| HB 189 | FAV | Prince George's County Delegation | Prince George's County – Alcoholic Beverages – Class BLX Licenses PG 304–19 |

| BILL NO. | REPORT | SPONSOR | CONTENT |
|---|---|---|---|
| HB 197 | FAV | Wicomico County Delegation | Wicomico County – Alcoholic Beverages – Bed and Breakfast License |
| HB 198 | FAV | Wicomico County Delegation | Wicomico County – Alcoholic Beverages – Basket of Cheer Permit |
| HB 288 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages Licenses – Sunday Sales |
| HB 289 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages – Cinema/Theater License |
| HB 290 | FAV | Del. Otto | Somerset County – Alcoholic Beverages – Board of License Commissioners – Salaries |
| HB 291 | FAV | Del. Otto | Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund |
| HB 292 | FAV | Del. Otto | Somerset County – Alcoholic Beverages Licenses – Proximity to Places of Worship, Schools, Public Libraries, or Youth Centers |
| HB 293 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License |
| HB 311 | FAV | Dorchester County Delegation | Dorchester County – Alcoholic Beverages – Class A Licenses |
| HB 312 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages – Multiple Licenses Allowed |

| BILL NO. | REPORT | SPONSOR | CONTENT |
|---|---|---|---|
| HB 314 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice |
| HB 334 | FAV | Montgomery County Delegation | Montgomery County – Alcoholic Beverages – Community Performing Arts Facility Special Event Permit MC 30–19 |
| HB 335 | FAV | Montgomery County Delegation | Montgomery County – Alcoholic Beverages Licenses – Fee Refunds MC 28–19 |
| HB 345 | FAV | Montgomery County Delegation | Montgomery County – Damascus – Alcoholic Beverages Licenses MC 9–19 |
| HB 353 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity |
| HB 360 | FAV | St. Mary's County Delegation | St. Mary's County – Alcoholic Beverages – Sunday Sales at a Bar or Counter |
| HB 389 | FAV | Charles County Delegation | Charles County – Alcoholic Beverages – Resort Complex License |
| HB 400 | FAV | Charles County Delegation | Charles County – Alcoholic Beverages – Exemption From Off–Sale License Quota |
| HB 438 | FAV | Charles County Delegation | Charles County – Alcoholic Beverages – Golf Course Privilege |
| HB 447 | FAV | Frederick County Delegation | Frederick County – Alcoholic Beverages – Basket of Cheer |

| BILL NO. | REPORT | SPONSOR | CONTENT |
|---|---|---|---|
| HB 475 | FAV | Queen Anne's County Delegation | Queen Anne's County – Alcohol Awareness Program |
| HB 616 | FAV | Montgomery County Delegation | Montgomery County – Department of Liquor Control – Renaming MC 2–19 |
| HB 701 | FAV | Washington County Delegation | Washington County – Alcoholic Beverages – Sunday Hours of Sale |
| HB 723 | FAV | Del. Beitzel | Garrett County – Alcoholic Beverages – Revisions |
| HB 803 | FAV | Harford County Delegation | Harford County – Alcoholic Beverages – Annual Financial Audit |
| HB 805 | FAV | Harford County Delegation | Harford County – Alcoholic Beverages – Continuing Care Facility for the Aged License |
| HB 869 | FAV | Howard County Delegation | Howard County – Alcoholic Beverages – Marketplace License Ho. Co. 06–19 |
| HB 980 | FAV | Del. Mosby | Baltimore City – Alcoholic Beverages – Protest of License Renewal – Zoning Violations |
| HB 982 | FAV | St. Mary's County Delegation | St. Mary's County – Alcoholic Beverages – Class C Per Diem Licenses |
| HB 1077 | FAV | Talbot County Delegation | Talbot County – Alcoholic Beverages – Election Days |
| HB 1095 | FAV | Talbot County Delegation | Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners |

| BILL NO. | REPORT | SPONSOR | CONTENT |
|---|---|---|---|
| HB 1149 | FAV | Harford County Delegation | Harford County – Alcoholic Beverages – Filing Period for Renewal Applications |

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 9

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 287 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Promoter's Permit**

**HB0287/603693/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 287
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, after "license;" insert "altering certain permit fees;".

AMENDMENT NO. 2
On page 2, after line 11, insert:

"**(1) $50, IF THE PROMOTER EXPECTS THAT FEWER THAN 500 INDIVIDUALS WILL ATTEND;**";

in line 12, strike "(1)" and substitute "**(2)**"; in the same line, strike "fewer than" and substitute "**FROM 500 TO**"; and in lines 14 and 16, strike "(2)" and "(3)", respectively, and substitute "**(3)**" and "**(4)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 297 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Sale of Chilled Beer and Chilled Wine**

**MC 4–19**

**HB0297/553698/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 297
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "under certain circumstances" and substitute "from a keg for certain purposes"; in line 11, after "25–102" insert "and 25–310(d)"; and in line 16, strike "25–310(d) and (e)" and substitute "25–310(e)".

AMENDMENT NO. 2

On page 2, in lines 10, 11, and 12, in each instance, strike the brackets; in line 10, strike the colon; in line 11, strike "**A. CHILLED AND NONCHILLED**"; in the same line, strike the semicolon; in line 12, strike "**B. CHILLED AND NONCHILLED**"; in the same line, strike the semicolon; and in line 13, strike "**C. NONCHILLED**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 374 – Delegates Chang, Bartlett, Carey, Pena–Melnyk, and Rogers**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Racetrack License**

**HB0374/503695/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 374
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegates Chang, Bartlett, Carey, Pena–Melnyk, and Rogers" and substitute "Anne Arundel County Delegation"; in line 2, strike "License" and substitute "and Racetrack Concessionaire Licenses"; strike beginning with "authorizing" in line 6 down through "license;" in line 7; in line 8, after "premises;" insert "altering the fee for a racetrack license; authorizing the Board of License Commissioners to issue a racetrack concessionaire license to a certain person; authorizing a holder of a racetrack concessionaire license to also hold a certain other license; specifying the location where alcoholic beverages may be sold under the racetrack concessionaire license; specifying that the playing of music and dancing may occur on the licensed premises of the concessionaire; allowing alcoholic beverages purchased under a racetrack concessionaire license to be taken into and consumed on the licensed premises of the racing establishment; establishing the annual license fee;"; in line 9, strike the second "the" and substitute "a certain"; strike beginning with "authorizing" in line 10 down through "license;" in line 11; in line 11, before "from" insert "or a racetrack concessionaire license"; and after line 23, insert:

"BY adding to
Article – Alcoholic Beverages
Section 11–1007.1
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 3, in lines 6 and 8 and 9, in each instance, strike "**§ 11–1007**" and substitute "**§ 11–1007.1**"; and in line 15, strike "**PUBLIC**" and substitute "**RACE**".

On page 4, strike in their entirety lines 9 and 10.

AMENDMENT NO. 3

On page 3, in line 24, after "**A**" insert "**RACETRACK**"; in line 25, strike "**SUBSECTION (D) OF THIS SECTION**" and substitute "**§ 11–1007.1 OF THIS SUBTITLE**"; and strike in their entirety lines 28 through 30, inclusive.

On page 4, strike in their entirety lines 1 and 2; in lines 3, 5, 11, and 13, strike "**(E)**", "**(F)**", "**(H)**", and "**(I)**", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively; and after line 14, insert:

"**11–1007.1.**

**(A) THERE IS A RACETRACK CONCESSIONAIRE LICENSE.**

**(B) (1) THE BOARD MAY ISSUE THE LICENSE TO A CONCESSIONAIRE OPERATING IN CONJUNCTION WITH A LICENSED RACING ESTABLISHMENT.**

**(2) THE LICENSE HOLDER MAY ALSO HOLD A CLASS 5 BREWERY LICENSE OR A CLASS 7 MICRO–BREWERY LICENSE.**

**(C) (1) THE LICENSE AUTHORIZES:**

**(I) SUBJECT TO ITEM (III) OF THIS PARAGRAPH, THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE PREMISES OF THE CONCESSIONAIRE FOR CONSUMPTION ON:**

**1. THE LICENSED PREMISES OF THE CONCESSIONAIRE; AND**

**2. THE LICENSED PREMISES OF THE RACING ESTABLISHMENT;**

**(II) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED PREMISES OF THE CONCESSIONAIRE; AND**

**(III) IF THE LICENSE HOLDER IS ALSO THE HOLDER OF A CLASS 5 BREWERY LICENSE, THE SALE OF ONLY BEER IN ACCORDANCE WITH § 2–207 OF THIS ARTICLE ON THE PREMISES OF THE CONCESSIONAIRE FOR CONSUMPTION ON:**

**1. THE LICENSED PREMISES OF THE CONCESSIONAIRE; AND**

**2. THE LICENSED PREMISES OF THE RACING ESTABLISHMENT.**

**(2) ALCOHOLIC BEVERAGES PURCHASED UNDER THE LICENSE MAY BE TAKEN INTO AND CONSUMED ON THE LICENSED PREMISES OF THE RACING ESTABLISHMENT.**

**(D) (1) THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES UNDER THE LICENSE ARE THE SAME AS THE HOURS AND DAYS SET OUT FOR A RACETRACK LICENSE UNDER § 11–1007 OF THIS SUBTITLE.**

**(2) A HOLDER OF THE LICENSE NEED NOT OBTAIN A SUNDAY LICENSE UNDER § 11–2004 OF THIS TITLE TO SELL ALCOHOLIC BEVERAGES AFTER 2 A.M. ON SUNDAY.**

**(E) THE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H LICENSE FOR PURPOSES OF § 11–1609 OF THIS TITLE.**

**(F) THE ANNUAL LICENSE FEE IS $5,000.**".

AMENDMENT NO. 4

On page 4, in line 13, after "The" insert "**ANNUAL**"; and in the same line, strike "$60 per day of live or simulcast racing" and substitute "**$25,000**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 388 – Charles County Delegation**

AN ACT concerning

**Charles County – Alcoholic Beverages – View of Licensed Premises**

**HB0388/153992/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 388
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "specifying" in line 5 down through "purposes;" in line 6 and substitute "authorizing a license holder to install a protective covering over an exterior door or window of the licensed premises under certain circumstances; providing that this Act does not prevent an inspection and search of the licensed premises under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 5, strike "**(1)**"; strike in their entirety lines 7 through 9, inclusive, and substitute:

"**(C) (1) A LICENSE HOLDER MAY INSTALL A PROTECTIVE COVERING OVER AN EXTERIOR DOOR OR WINDOW OF THE LICENSED PREMISES IF THE COVERING IS:**

**(I) USED ONLY WHEN THE LICENSED PREMISES IS NOT OCCUPIED;**

**(II) DESIGNED TO PROTECT THE LICENSED PREMISES FROM UNLAWFUL INTRUSION OR DESTRUCTION; AND**

**(III) SECURED ONLY FROM THE EXTERIOR OF THE LICENSED PREMISES.**

**(2) THIS SUBSECTION DOES NOT PREVENT AN INSPECTION AND SEARCH OF THE LICENSED PREMISES UNDER § 6–202 OF THIS ARTICLE.**";

and in line 10, strike "(c)" and substitute "**(D)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 445 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Class B–ECF/DS Beer, Wine, and Liquor License**

**PG 306–19**

**HB0445/903597/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 445
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "function;" insert "increasing the number of Class B–ECF/DS licenses that the Board may issue;"; and in line 26, after "26–1009" insert "and 26–1601(a)(1)(xviii)".

AMENDMENT NO. 2

On page 3, after line 26, insert:

"26–1601.

(a) (1) Except as otherwise provided in this title, the number of licenses in a class issued by the Board may not exceed:

(xviii) Class B–ECF/DS beer, wine, and liquor, **[**1**]** **2**;".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 459 – Delegate Chang**

AN ACT concerning

**Anne Arundel County – Alcohol Awareness**

**HB0459/423298/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 459
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Chang" and substitute "Anne Arundel County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 476 – Queen Anne's County Delegation**

AN ACT concerning

**Queen Anne's County – Alcoholic Beverages – Beauty Salon and Barbershop License**

**HB0476/363094/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "services;" insert "authorizing a customer to consume only a certain amount of wine or beer during any one visit;".

AMENDMENT NO. 2

On page 2, after line 23, insert:

"**(D) A CUSTOMER MAY CONSUME NOT MORE THAN 5 OUNCES OF WINE OR 12 OUNCES OF BEER DURING ANY ONE VISIT.**";

and in lines 24 and 25, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively.

On page 3, in lines 1 and 4, strike "**(F)**" and "**(G)**", respectively, and substitute "**(G)**" and "**(H)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

**House Bill 508 – Delegates Brooks, Branch, Bromwell, Gaines, Glenn, Hettleman, Jones, Lisanti, Pena–Melnyk, Sample–Hughes, Shetty, Stein, Sydnor, Valderrama, and Walker**

AN ACT concerning

**Alcoholic Beverages – Prohibited Acts – Defense to Prosecution for Sale to Underage Individuals**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 572 – Delegate Shoemaker**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License**

**HB0572/443797/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 572
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Shoemaker" and substitute "Carroll County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 576 – Delegate Shoemaker**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Required Information on Application**

**HB0576/983698/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 576
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Shoemaker" and substitute "Carroll County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 613 – Delegate Shoemaker**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses**

**HB0613/373191/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 613
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Shoemaker" and substitute "Carroll County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 770 – Delegates Carey, Bartlett, and Chang**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Licenses – Multiple License Interests**

**HB0770/233395/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 770
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegates Carey, Bartlett, and Chang" and substitute "Anne Arundel County Delegation"; and in line 7, after "controlled" insert ", except by franchise or chain store operation".

AMENDMENT NO. 2

On page 2, in line 7, strike "**AN**" and substitute "**EXCEPT FOR AN INTEREST HELD OR CONTROLLED BY FRANCHISE OPERATION OR CHAIN STORE OPERATION, AN**"; and in lines 11 and 12, strike "**FRANCHISE OPERATION, CHAIN STORE OPERATION,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 960 – Delegates Mosby, Conaway, Glenn, Haynes, Ivey, J. Lewis, Moon, Smith, and Washington**

AN ACT concerning

**Alcoholic Beverages – Local Licenses – Prohibited Transfers**

**HB0960/743195/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 960
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Alcoholic" insert "Baltimore City –"; in the same line, strike "– Local"; in line 3, strike "a local licensing board" and substitute "the Board of

License Commissioners for Baltimore City"; in line 4, strike "if the transferor has" and substitute "until the resolution of"; in the same line, after "charges" insert "filed against the transferor"; in line 5, strike "local licensing board;" and substitute "Board concerning the transferor; altering the grounds for which a license holder or certain party may make a certain request to the Board to extend the life of a license; authorizing the Board to grant an extension that prolongs the life of a license beyond a certain period of time under certain circumstances; exempting a license the transfer of which is prohibited under this Act from a certain provision of law concerning the period of expiration of a license;"; in the same line, strike "local"; in line 6, after "licenses" insert "in Baltimore City"; in line 9, strike "4–302(a)" and substitute "12–102"; in line 14, strike "4–303.1" and substitute "12–1705.1"; and after line 16, insert:

"BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–2202
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)".

AMENDMENT NO. 2
On page 1, after line 19, insert:

"12–102.

This title applies only in Baltimore City.".

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 2 on page 2, inclusive.

On page 2, in line 3, strike "**4–303.1.**" and substitute "**12–1705.1.**"; in line 4, strike "**A LOCAL LICENSING BOARD**" and substitute "**THE BOARD**"; in line 5, strike "**IF THE TRANSFEROR HAS**" and substitute "**UNTIL THE RESOLUTION OF:**

**(1) ANY**";

in the same line, strike "**CHARGES**" and substitute "**CHARGE FILED AGAINST THE TRANSFEROR THAT DIRECTLY RELATES TO THE OPERATION OF THE LICENSED PREMISES;**"; in the same line, after "**OR**" insert:

"**(2)** ANY";

in line 6, strike "**MATTERS**" and substitute "**MATTER**"; strike beginning with "**LOCAL**" in line 6 down through "**PREMISES**" in line 8 and substitute "**BOARD CONCERNING THE TRANSFEROR**"; and after line 8, insert:

"12–2202.

(a) A license expires 180 days after the license holder has closed the business or stopped active alcoholic beverages business operations at the premises for which the license is held unless:

(1) an application for approval of a transfer to another location or another person under Subtitle 17 of this title has been approved or is pending;

(2) an application for a certificate of permission or a renewal license for continuation of business under Subtitle 23 of this title has been approved or is pending; or

(3) a written request for a hardship extension under subsection (b) of this section is filed within the 180–day period.

(b) (1) The license holder or another appropriate interested party may make a written request to the Board to extend the life of the license due to hardship**, INCLUDING THE PENDENCY OF A CRIMINAL CHARGE FILED AGAINST A TRANSFEROR THAT DIRECTLY RELATES TO THE OPERATION OF THE LICENSED PREMISES OR A DISCIPLINARY MATTER BEFORE THE BOARD CONCERNING THE TRANSFEROR**.

(2) The Board may grant the extension if the Board finds after a hearing that existing hardship caused the closing or stopping of business operations.

(3) **[**An**] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, AN** extension may not prolong the life of the license beyond 360 days after the date of closing or stopping of alcoholic beverages business operations at the premises for which the license is held.

**(4) THE BOARD MAY GRANT AN EXTENSION UNDER THIS SUBSECTION THAT PROLONGS THE LIFE OF A LICENSE BEYOND 360 DAYS IF A TRANSFER OF THE LICENSE IS PROHIBITED UNDER § 12–1705.1 OF THIS TITLE.**

(c) (1) **THIS SUBSECTION DOES NOT APPLY TO A LICENSE THE TRANSFER OF WHICH IS PROHIBITED UNDER § 12–1705.1 OF THIS TITLE.**

**(2)** The period for which a license may be considered unexpired:

(i) begins at the earlier of the closing of the business or stopping of alcoholic beverages business operations; and

(ii) may be suspended only by filing an application or request under subsection (a) of this section.

**[**(2)**] (3)** The expiration period resumes on the last to occur of the following events:

(i) final action of the Board granting or denying a request for a hardship extension under subsection (b) of this section;

(ii) final action of the Board denying an application described in subsection (a)(1) or (2) of this section;

(iii) final judgment of the reviewing court if judicial review of the Board's action on an application or request authorized by subsection (a) or (b) of this section has been granted; or

(iv) dismissal of a petition for judicial review of the Board's action.

**[**(3)**] (4)** If an application or request described in subsection (a) or (b) of this section is withdrawn:

(i) the period for automatic expiration of the license may not be suspended; and

(ii) the application or request shall be considered as if it had not been filed.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 965 – Delegates Mosby, Smith, and Wells**

AN ACT concerning

**Baltimore City – Alcoholic Beverages Licenses – Grounds for Suspension**

**HB0965/903891/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 965
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "authorizing" insert "the executive secretary of"; in line 4, strike "an" and substitute "a certain"; in the same line, strike "it" and substitute "the executive secretary"; in the same line, strike "cause" and substitute "articulable suspicion"; and in line 6, after "property;" insert "requiring the Board, if the executive secretary immediately suspends a license under this Act, to give the license holder certain notice and hold a certain hearing within a certain period of time;".

AMENDMENT NO. 2

On page 3, strike beginning with "The" in line 7 down through the first "of" in line 8 and substitute "**SECTION 4–602 ("POWER OF LOCAL LICENSING BOARD") OF**"; in line 8, strike "apply" and substitute "**APPLIES**"; strike beginning with the colon in line 8 down through the bracket in line 11; in line 17, after "**(1)**" insert "**§ 4–603 ("REVOCATION AND SUSPENSION PROCEDURES"), SUBJECT TO § 12–2105 OF THIS SUBTITLE;**

**(2)**";

in line 19, strike "**(2)**" and substitute "**(3)**"; after line 21, insert:

"**(A) THIS SECTION DOES NOT APPLY TO A LICENSE ISSUED UNDER § 12–1001, § 12–1001.1, § 12–1001.2, § 12–1002, § 12–1002.1, § 12–1003, OR § 12–1006 OF THIS TITLE.**";

in line 22, strike "**IN**" and substitute "**(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, IN**"; in line 23, after "**THE**" insert "**EXECUTIVE SECRETARY OF THE**"; in the same line, strike "**IT**" and substitute "**THE EXECUTIVE SECRETARY**"; in line 24, strike "**CAUSE**" and substitute "**ARTICULABLE SUSPICION**"; in the same line, strike "**HAS**"; in line 25, strike "**MAY RESULT**" and substitute "**RESULTED**"; strike beginning with the comma in line 26 down through the comma in line 27; and in line 27, strike "**ON**".

On pages 3 and 4, strike in their entirety the lines beginning with line 28 on page 3 through line 4 on page 4, inclusive, and substitute:

"**(1) WITH RESPECT TO A LICENSED PREMISES LOCATED IN A UNIT BLOCK WHERE FIVE OR MORE LICENSED PREMISES ARE LOCATED, ON THE LICENSED PREMISES OF THE LICENSE HOLDER; OR**

**(2) WITH RESPECT TO A LICENSED PREMISES NOT DESCRIBED UNDER ITEM (1) OF THIS SUBSECTION, ON THE LICENSED PREMISES OF THE LICENSE HOLDER OR ANY PREMISES IMMEDIATELY ADJACENT TO THE LICENSED PREMISES THAT ARE OWNED OR LEASED BY THE LICENSE HOLDER.**

**(C) IF THE EXECUTIVE SECRETARY OF THE BOARD IMMEDIATELY SUSPENDS A LICENSE, THE BOARD SHALL:**

**(1) GIVE THE LICENSE HOLDER NOTICE OF THE SUSPENSION AND A HEARING ON THE SUSPENSION AT WHICH THE LICENSE HOLDER MAY BE HEARD AND PRESENT EVIDENCE;**

**(2) POST NOTICE OF THE HEARING ONLINE; AND**

**(3) HOLD THE HEARING WITHIN 5 BUSINESS DAYS AFTER THE SUSPENSION IS IMPOSED.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 9

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 302 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County Housing Opportunities Commission – Collective Bargaining – Exclusive Representative Duty of Fair Representation**

**MC 26–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 358 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Public Facility Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 362 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Collective Bargaining – Exclusive Representative Duty of Fair Representation**

**MC/PG 109–19**

**HB0362/334664/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 362
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 21, after "16–202" insert "and 16–302".

AMENDMENT NO. 2
On page 3, after line 8, insert:

"16–302.

(a) The Commission shall recognize the right of an employee organization, certified under this subtitle as the exclusive representative of the bargaining unit, to represent the employees in the bargaining unit in collective bargaining and in the settlement of grievances.

(b) An employee organization certified as the exclusive representative of a bargaining unit shall:

(1) serve as the sole bargaining agent for the bargaining unit in collective bargaining; and

(2) **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,** represent all employees in the bargaining unit fairly**[**,**]** **AND** without discrimination**[**, and without regard to whether an employee is a member of the employee organization**]**.

**(C) (1) THE EXCLUSIVE REPRESENTATIVE MAY REQUIRE AN EMPLOYEE WHO DOES NOT PAY MEMBERSHIP DUES OR EQUIVALENT FEES TO PAY:**

**(I) THE REASONABLE COSTS AND FEES, INCLUDING EXPENSES FOR STAFF TIME AND MATERIALS, ARBITRATION FEES, AND RELATED ATTORNEY'S FEES, FOR FILING A GRIEVANCE OR ARBITRATING A MATTER THAT ARISES UNDER A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED UNDER THIS SUBTITLE BROUGHT BY THE EXCLUSIVE REPRESENTATIVE AT THE REQUEST OF THE EMPLOYEE; AND**

**(II) ANY ANTICIPATED PROPORTIONAL COSTS AND FEES BEFORE A GRIEVANCE IS FILED OR ARBITRATION IS PURSUED.**

**(2) FAILURE BY THE EMPLOYEE TO PAY THE COSTS AND FEES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL RELIEVE THE EXCLUSIVE REPRESENTATIVE OF ANY FURTHER RESPONSIBILITY TO THE EMPLOYEE.**

**(3) A DISPUTE CONCERNING THE REASONABLENESS OF THE COSTS AND FEES IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBMITTED TO THE LABOR RELATIONS ADMINISTRATOR IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED § 16–317 OF THIS SUBTITLE FOR UNFAIR LABOR PRACTICES.**

**(D) (1) AN EXCLUSIVE REPRESENTATIVE'S DUTY OF FAIR REPRESENTATION OWED TO A PUBLIC EMPLOYEE WHO IS IN THE BARGAINING UNIT SHALL BE LIMITED TO THE NEGOTIATION AND ENFORCEMENT OF THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC EMPLOYER.**

**(2) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO LIMIT AN EMPLOYEE ORGANIZATION FROM PROVIDING ONLY TO THE ORGANIZATION'S MEMBERS LEGAL, ECONOMIC, OR JOB–RELATED SERVICES OR BENEFITS OUTSIDE THE COLLECTIVE BARGAINING AGREEMENT.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 516 – Delegates Smith, Anderson, Attar, Boyce, Bridges, Conaway, R. Lewis, Lierman, Mosby, and Wells**

AN ACT concerning

**Office of Legislative Audits – Audits of the Baltimore Police Department**

**HB0516/414167/1**
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 516
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Wells" and substitute "Wells, and Glenn".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 540 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Correctional Deputy Sheriffs – Collective Bargaining**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 574 – Delegate Shoemaker**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

**HB0574/914568/1**
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 574
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Shoemaker" and substitute "Carroll County Delegation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 623 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Local Debt Bonding Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 919 – Delegate Haynes**

AN ACT concerning

**Baltimore City – Senior Apartment Housing Facilities – Security Guard Services**

**HB0919/994162/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 919
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Haynes" and substitute "Delegates Haynes, Glenn, Bridges, and Mosby"; in line 2, strike "Guard"; in line 4, after "in" insert "certain geographic areas of"; in line 5, after "services" insert "or an off–duty law enforcement officer for the provision of security services"; and in line 6, strike "guard".

AMENDMENT NO. 2

On page 1, after line 18, insert:

"**(2) "LAW ENFORCEMENT OFFICER" HAS THE MEANING STATED IN § 3–101 OF THE PUBLIC SAFETY ARTICLE.**";

and in lines 19 and 21, strike "**(2)**" and "**(3)**", respectively, and substitute "**(3)**" and "**(4)**", respectively.

On page 2, in line 1, strike "**(4)**" and substitute "**(5)**"; and in line 12, after "**SERVICES**" insert "**OR AN OFF–DUTY LAW ENFORCEMENT OFFICER FOR THE PROVISION OF SECURITY SERVICES**".

AMENDMENT NO. 3

On page 2, in line 9, after "**IN**" insert "**A GEOGRAPHIC FOCUS AREA IN**"; and in the same line, after "**CITY**" insert "**DESIGNATED BY THE MAYOR'S OFFICE OF SUSTAINABLE SOLUTIONS UNDER THE MAYOR'S VIOLENCE REDUCTION INITIATIVE THAT IS LOCATED IN AN AREA DESIGNATED BY THE UNITED STATES POST OFFICE AS ZIP CODE NUMBER 21217 OR 21223**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1056 – Queen Anne's County Delegation**

AN ACT concerning

**Correctional Officers' Retirement System – Queen Anne's County**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1258 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Length of Service Award Program – Death Benefits**

**HB1258/184061/1**
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1258
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert:

"(Patricia Ann "Pat" Osburn Law)";

in line 3, strike "qualified"; and in line 5, after "definition;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 4, in lines 27 and 29, in each instance, strike "**QUALIFIED**"; after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect the death benefits of any qualified volunteer of any Calvert County volunteer fire company, Calvert County volunteer rescue squad, or Calvert County rescue dive team who was eligible to receive benefits on or after January 1, 2015.";

and in line 30, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1346 – Delegates Haynes, Chang, Corderman, Jackson, and McKay**

AN ACT concerning

**Public Safety – Student Peer Mediation Program Fund – Establishment**

**HB1346/134169/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1346
(First Reading File Bill)

On page 3, in line 13, strike "**$250,000**" and substitute "**$100,000**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 10

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 801 – Delegate Glenn (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Stadium Authority – Baltimore Convention Facility – Renovation**

**HB0801/694866/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 801
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 3 down through "City;" in line 9; and strike beginning with "providing" in line 10 down through "agreements" in line 12 and substitute "requiring the Maryland Stadium Authority and Baltimore City to enter into an agreement on certain elements of the expansion or renovation of the Baltimore Convention facility; specifying that the agreement include certain provisions".

On page 1, in line 16, strike "and 10–628(a)"; and in line 21, strike ", 10–628(c), and 10–640".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 11 on page 2 through line 25 on page 4, inclusive.

On page 4, strike beginning with "an" in line 26 down through "Article" in line 30 and substitute ":

(a) The Maryland Stadium Authority and Baltimore City shall promptly enter into a written agreement to begin in fiscal year 2020 the planning and design of the expansion or renovation of the Baltimore Convention facility.

(b) The written agreement under subsection (a) of this section shall include a provision allocating the costs for planning and design as follows:

(1) for the Authority, two–thirds of the cost; and

(2) for Baltimore City, one–third of the cost".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1192 – Delegates Valderrama, Barron, Carey, Dumais, Gaines, Gilchrist, Healey, Jackson, Kaiser, Krimm, Lehman, McComas, Palakovich Carr, Pena–Melnyk, Qi, Reznik, and Solomon**

AN ACT concerning

**Assembly Areas – State–Funded Construction or Renovation – Assisted Listening System Requirement**

**HB1192/244864/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1192
(First Reading File Bill)

On page 2, in line 8, after "**THAT**" insert "**:**

**1.**";

in line 9, after "**GATHERINGS**" insert "**; AND**

**2. REQUIRES THE USE OF A PUBLIC ADDRESS SYSTEM**";

in line 19, after the semicolon insert "**AND**"; and strike beginning with the semicolon in line 20 down through "**SYSTEM**" in line 22.

On page 3, strike in their entirety lines 8 through 16, inclusive, and substitute:

"**(I) CONSTRUCTION;**

**(II) RECONSTRUCTION; AND**

**(III) RENOVATION.**".

On page 4, in line 9, strike "**AUDIBLE COMMUNICATION IS INTEGRAL TO THE USE OF**"; and in line 10, after "**AREA**" insert "**USES OR REQUIRES THE USE OF A PUBLIC ADDRESS SYSTEM**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1412 – Delegate Korman**

AN ACT concerning

**Transportation – Maryland Metro/Transit Funding**

**HB1412/404867/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1412
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Funding" insert "Act – Alterations"; in line 3, after "of" insert "specifying that the Maryland Transit Administration must regularly consult with certain entities regarding the compilation and submission of the Central Maryland Regional Transit Plan; requiring the Maryland Transit Administration to submit a draft Central Maryland Regional Transit Plan to certain entities at least a certain period of time before the finalization of the Plan; altering the contents and elements of the Plan; altering the time frame within which the Plan must be reviewed, revised, and updated; altering the time frame that the Plan must address; altering the requirements of a certain assessment undertaken by the Maryland Transit Administration;"; and in line 17, after "Section" insert "7–301.1, 7–309, and".

AMENDMENT NO. 2

On page 2, after line 1, insert:

"7–301.1.

(a) In this section, "core service area" means:

(1) An area in Anne Arundel County, Baltimore City, Baltimore County, Harford County, and Howard County that is served by light rail, metro, or fixed bus route service; and

(2) As determined by the Department, any other area in which the population commutes to an area described in item (1) of this subsection in order to use light rail, metro, or fixed bus route service.

(b) In addition to the requirements of §§ 7–301 and 7–302 of this subtitle, on or before October 1, 2020, the Administration shall**[**, in**]:**

**(1)** **IN REGULAR** consultation with the Central Maryland Regional Transit Plan Commission and the Baltimore Metropolitan Council, prepare a Central Maryland Regional Transit Plan to meet the transit needs of the core service area**; AND**

**(2) SUBMIT A DRAFT PLAN TO THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION AND THE BALTIMORE METROPOLITAN COUNCIL FOR REVIEW AND COMMENT AT LEAST 45 DAYS BEFORE THE DRAFT PLAN IS FINALIZED**.

(c) The Central Maryland Regional Transit Plan shall **INCLUDE AT LEAST THE FOLLOWING ELEMENTS**:

(1) **[**Define goals**]** **GOALS** for outcomes to be achieved through the provision of public transportation**, INCLUDING PROVIDING RELIABLE AND SAFE PUBLIC TRANSPORTATION SERVICE TO ENABLE RESIDENTS OF THE CORE SERVICE AREA TO ACCESS JOB OPPORTUNITIES THROUGHOUT THE AREA**;

**[**(2) In order to best achieve the goals defined in item (1) of this subsection, identify options for:

(i) Improvements to existing transportation assets;

(ii) Improvements to leverage non–Administration transportation options available to public transportation; and

(iii) Corridors for new public transportation assets;

(3) Prioritize corridors for planning of new public transportation assets;

(4) Evaluate the Plan's consistency with local land use and transportation plans and the Maryland Transportation Plan and identify opportunities for achieving greater consistency;

(5) Be reviewed, revised, and updated at least every 5 years; and

(6) Address a 25–year time frame.**]**

**(2) SPECIFIC IMPROVEMENTS TO PUBLIC TRANSPORTATION SERVICES AND ASSETS;**

**(3) AN ANALYSIS OF OPPORTUNITIES TO LEVERAGE NON–ADMINISTRATION TRANSPORTATION OPTIONS AVAILABLE FOR PUBLIC TRANSPORTATION; AND**

**(4) CORRIDORS FOR ESTABLISHING NEW PUBLIC TRANSPORTATION SERVICES AND ASSETS.**

**(D) IN ORDER TO BEST ADDRESS THE ELEMENTS SPECIFIED IN SUBSECTION (C) OF THIS SECTION, THE PLAN SHALL INCLUDE:**

**(1) CORRIDORS THROUGHOUT THE CORE SERVICE AREA WITH SPECIFIC GEOGRAPHIC BOUNDARIES, PRIORITIZED ACCORDING TO EACH CORRIDOR'S POTENTIAL TO ACHIEVE THE GOALS;**

**(2) THROUGHOUT THE CORE SERVICE AREA, SPECIFIC IMPROVEMENTS TO PUBLIC TRANSPORTATION SERVICES AND ASSETS;**

**(3) A LISTING OF THE SPECIFIC IMPROVEMENTS IDENTIFIED UNDER ITEM (2) OF THIS SUBSECTION IN THE ORDER OF THE PLANNED IMPLEMENTATION OF THE IMPROVEMENTS AND A METHODOLOGY FOR DETERMINING THE ORDER;**

**(4) AN ANALYSIS OF THE FUNDING AVAILABLE FOR THE IMPLEMENTATION OF THE SPECIFIC IMPROVEMENTS IDENTIFIED UNDER ITEM (2) OF THIS SUBSECTION AND POTENTIAL SOURCES OF ADDITIONAL FUNDING;**

**(5) ONE OR MORE MAPS THAT INCLUDE EXISTING SERVICES AND PROPOSED CORRIDORS AND IMPROVEMENTS; AND**

**(6) AN ANALYSIS OF THE PLAN'S CONSISTENCY WITH COUNTY AND MUNICIPAL LAND USE AND TRANSPORTATION PLANS AND THE MARYLAND TRANSPORTATION PLAN AND THE IDENTIFICATION OF OPPORTUNITIES FOR ACHIEVING GREATER CONSISTENCY.**

**(E) THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN SHALL:**

**(1) BE REVIEWED, REVISED, AND UPDATED AT LEAST EVERY 6 YEARS; AND**

**(2) ADDRESS A 30–YEAR PERIOD FROM THE YEAR THE REVIEW IS UNDERTAKEN.**

**[**(d)**] (F)** (1) There is a Central Maryland Regional Transit Plan Commission.

(2) The Commission consists of the following members:

(i) The County Executive of Anne Arundel County, or the County Executive's designee;

(ii) The Mayor of Baltimore City, or the Mayor's designee;

(iii) The County Executive of Baltimore County, or the County Executive's designee;

(iv) The County Executive of Harford County, or the County Executive's designee;

(v) The County Executive of Howard County, or the County Executive's designee;

(vi) One representative from a Central Maryland business or transportation organization, appointed by the President of the Senate;

(vii) One representative from a Central Maryland business or transportation organization, appointed by the Speaker of the House; and

(viii) The following individuals appointed by the Governor:

1. One representative from a Central Maryland business organization;

2. One representative from the Citizen Advisory Council;

3. One representative from a disabled riders group; and

4. One representative from the MARC Riders Advisory Council.

(3) The Commission shall participate in the development of:

(i) A strategy for meaningful public involvement in the Central Maryland Regional Transit Plan; and

(ii) The goals for outcomes of the Central Maryland Regional Transit Plan.

7–309.

(a) The Administration shall, at least every 3 years, assess the ongoing, unconstrained capital needs of the Administration.

(b) In undertaking the assessment required under subsection (a) of this section, the Administration shall:

(1) Compile and prioritize capital needs without regard to cost;

(2) Identify the backlog of repairs and replacements needed to achieve a state of good repair for all Administration assets, including a separate analysis of these needs over the following 10 years; **[**and**]**

(3) Identify the needs to be met in order to enhance service and achieve system performance goals**;**

**(4) CREATE A TIMELINE AND PLAN FOR ACHIEVING A STATE OF GOOD REPAIR FOR THE ADMINISTRATION'S CAPITAL ASSETS; AND**

**(5) PUBLISH THE REPORT ON THE DEPARTMENT'S WEBSITE**.

(c) On or before July 1, 2019, and on or before July 1 every 3 years thereafter, the Administration shall, in accordance with § 2–1246 of the State Government Article, submit the assessment required under subsection (a) of this section to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Environment and Transportation Committee.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for Saturday.

The motion was adopted.

## RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 10

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

**House Bill 1366 – Delegates Cain, Bagnall, Bartlett, Chang, Charkoudian, Feldmark, Guyton, Kerr, Lehman, Lierman, PalakovichCarr, Pena–Melnyk, Smith, Solomon, and C. Watson**

AN ACT concerning

**Maryland Association of Environmental and Outdoor Education Grant (Maryland Green Schools Act of 2019)**

The Bill was re–referred to the Committee on Ways and Means.

## SPECIAL ORDERS

**House Bill 66 – Delegate Stein**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1208 – Delegate Washington**

AN ACT concerning

**Board of Restorative Practices in Schools – Establishment**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1209 – Delegate Kaiser**

AN ACT concerning

**Property Tax – Collection of Unpaid Taxes and Tax Sales**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1209/633320/1**
BY: Delegate Cardin

AMENDMENTS TO HOUSE BILL 1209, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Committee on Ways and Means Amendments (HB1209/625762/1).

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike "Collection of Unpaid Taxes and Tax Sales" and substitute "In Rem Foreclosure and Sale – Vacant and Abandoned Property"; and in line 3, after the first "of" insert "requiring a tax collector to withhold from tax sale certain real property designated by a county or municipal corporation for sale under a certain process; authorizing a county or municipal corporation to initiate an in rem foreclosure and sale of certain real property for delinquent taxes; authorizing a county or municipal corporation to enact certain laws authorizing in rem foreclosure and sale of certain real property; authorizing the county or municipal corporation to commence an in rem foreclosure action; prohibiting the county or municipal corporation from commencing an in rem foreclosure action until tax on real property has been delinquent for a certain period; requiring the county or municipal corporation to send certain notice to certain taxing agencies before

filing a certain complaint; requiring a taxing agency receiving a certain notice to certify certain information to the county or municipal corporation within a certain period of time; requiring certain taxes to be included in the foreclosure action; requiring a county or municipal corporation to obtain a certain lien release or make a certain payment before filing a certain action; requiring the county or municipal corporation to file the foreclosure action in a certain circuit court; requiring the complaint for an in rem foreclosure to include certain information; allowing the complaint for an in rem foreclosure to be amended for certain purposes; requiring a hearing on the in rem foreclosure complaint to be conducted at a certain time; providing that an interested party has the right to be heard at the hearing; requiring the court to enter a certain judgment on a certain finding; requiring the county or municipal corporation to sell at public auction real property after entry of a certain judgment; specifying the time of the sale; specifying the minimum bid for the sale; requiring the property to be sold to the highest bidder; authorizing a county or municipal corporation to bid the minimum bid under certain circumstances; requiring the county or municipal corporation to deposit certain excess bid amounts in escrow; requiring certain funds to be distributed to interested parties in a certain manner; requiring the county or municipal corporation to provide certain notice to the court of a sale; establishing that a sale of certain properties is final and binding; requiring the county or municipal corporation to report certain information to the court;".

On pages 1 and 2, strike beginning with "establishing" in line 3 on page 1 down through "year;" in line 14 on page 2.

On page 2, strike beginning with "making" in line 15 down through the second "date;" in line 17; in line 18, strike "collection of unpaid property taxes and tax sales" and substitute "in rem foreclosure and sale of tax delinquent vacant and abandoned property"; strike in their entirety lines 19 through 30, inclusive; and after line 35 insert:

"BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–811(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Tax – Property
Section 14–811(e); and 14–873 through 14–878 to be under the new part "Part V. Judicial In Rem Tax Foreclosure"
Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 3

On page 2 of the bill, after line 38, insert:

"14–801.

(d) (1) "Tax" means any tax, or charge of any kind due to the State or any of its political subdivisions, or to any other taxing agency, that by law is a lien against the real property on which it is imposed or assessed.

(2) "Tax" includes interest, penalties, and service charges.

14–811.

(a) Except as provided in **[**subsection (b)**]** **SUBSECTIONS (B) AND (E)** of this section, the collector may withhold from sale any property, when the total taxes on the property, including interest and penalties, amount to less than $250 in any 1 year.

**(E) THE COLLECTOR SHALL WITHHOLD FROM SALE UNDER THIS PART ANY REAL PROPERTY DESIGNATED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION FOR SALE UNDER PART V OF THIS SUBTITLE.**

**14–871. RESERVED.**

**14–872. RESERVED.**

**PART V. JUDICIAL IN REM TAX FORECLOSURE.**

**14–873.**

**(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) "INTERESTED PARTY" MEANS:**

**(1) THE PERSON WHO LAST APPEARS AS OWNER OF THE REAL PROPERTY ON THE COLLECTOR'S TAX ROLL;**

**(2) A MORTGAGEE OF THE PROPERTY OR ASSIGNEE OF A MORTGAGE OF RECORD;**

**(3) A HOLDER OF A BENEFICIAL INTEREST IN A DEED OF TRUST RECORDED AGAINST THE REAL PROPERTY; OR**

**(4) ANY PERSON HAVING AN INTEREST IN THE REAL PROPERTY WHOSE IDENTITY AND ADDRESS ARE:**

**(I) REASONABLY ASCERTAINABLE FROM THE COUNTY LAND RECORDS; OR**

**(II) REVEALED BY A FULL TITLE SEARCH CONSISTING OF AT LEAST 50 YEARS.**

**(C) "TAX" HAS THE MEANING STATED IN § 14–801 OF THIS SUBTITLE.**

**14–874.**

**(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A COUNTY OR MUNICIPAL CORPORATION MAY DESIGNATE REAL PROPERTY TO BE SOLD UNDER THIS PART.**

**(B) ONLY REAL PROPERTY THAT CONSISTS OF A VACANT LOT OR AN IMPROVED PROPERTY CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE MAY BE SOLD UNDER THIS PART.**

**(C) (1) A COUNTY OR MUNICIPAL CORPORATION MAY AUTHORIZE BY LAW AN IN REM FORECLOSURE AND SALE IN ACCORDANCE WITH THIS PART.**

**(2) A LAW THAT AUTHORIZES AN IN REM FORECLOSURE AND SALE SHALL:**

**(I) STATE THE DATE AFTER WHICH REAL PROPERTY MAY BE SUBJECT TO IN REM FORECLOSURE AND SALE UNDER THIS PART;**

**(II) ESTABLISH CRITERIA FOR DESIGNATING REAL PROPERTY TO BE FORECLOSED AND SOLD UNDER THIS PART;**

**(III) AUTHORIZE THE COUNTY OR MUNICIPAL CORPORATION TO FILE A COMPLAINT FOR AN IN REM FORECLOSURE UNDER THIS PART; AND**

**(IV) INCLUDE ADMINISTRATIVE RULES AND PROCEDURES NECESSARY TO CARRY OUT AN IN REM FORECLOSURE AND SALE UNDER THIS PART.**

**14–875.**

**(A) AFTER REAL PROPERTY IS DESIGNATED FOR SALE UNDER THIS PART, THE COUNTY OR MUNICIPAL CORPORATION MAY FILE A COMPLAINT FOR AN IN REM FORECLOSURE ACTION IN ACCORDANCE WITH THIS PART.**

**(B) THE COUNTY OR MUNICIPAL CORPORATION MAY NOT FILE A COMPLAINT FOR AN IN REM FORECLOSURE ACTION UNLESS THE TAX ON THE REAL PROPERTY HAS BEEN DELINQUENT FOR AT LEAST 6 MONTHS.**

**(C) (1) AT LEAST 60 DAYS BEFORE FILING A COMPLAINT FOR AN IN REM FORECLOSURE, THE COUNTY OR MUNICIPAL CORPORATION SHALL NOTIFY ALL OTHER TAXING AGENCIES THAT HAVE THE AUTHORITY TO COLLECT TAX ON THE REAL PROPERTY OF THE COUNTY'S OR MUNICIPAL CORPORATION'S INTENTION TO FILE A COMPLAINT FOR AN IN REM FORECLOSURE OF THE REAL PROPERTY.**

**(2) WITHIN 30 DAYS AFTER RECEIVING NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION, A TAXING AGENCY SHALL CERTIFY TO THE COUNTY OR MUNICIPAL CORPORATION A STATEMENT OF ALL TAXES DUE TO THE TAXING AGENCY.**

**(3) ALL TAXES CERTIFIED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION SHALL:**

**(I) BE INCLUDED IN THE FORECLOSURE ACTION; AND**

**(II) CEASE TO BE A LIEN AGAINST THE REAL PROPERTY IF A JUDGMENT IS ENTERED FORECLOSING THE EXISTING INTERESTS OF ALL**

**INTERESTED PARTIES IN THE REAL PROPERTY.**

**(4) BEFORE FILING THE COMPLAINT UNDER SUBSECTION (D) OF THIS SECTION, THE COUNTY OR MUNICIPAL CORPORATION SHALL:**

**(I) OBTAIN A LIEN RELEASE FROM THE STATE FOR ANY LIENS FOR UNPAID STATE PROPERTY TAXES, INTEREST, AND PENALTIES; OR**

**(II) PAY TO THE STATE, IN ACCORDANCE WITH § 4–202 OF THIS ARTICLE, ANY UNPAID STATE PROPERTY TAXES, INTEREST, AND PENALTIES.**

**(D) THE COUNTY OR MUNICIPAL CORPORATION SHALL FILE THE COMPLAINT FOR AN IN REM FORECLOSURE IN THE CIRCUIT COURT OF THE COUNTY WHERE THE REAL PROPERTY IS LOCATED.**

**(E) THE COMPLAINT FOR AN IN REM FORECLOSURE SHALL INCLUDE:**

**(1) THE IDENTITY OF THE COUNTY OR MUNICIPAL CORPORATION ON BEHALF OF WHICH THE COMPLAINT IS FILED;**

**(2) THE NAME AND ADDRESS OF THE COUNTY OR MUNICIPAL CORPORATION;**

**(3) A DESCRIPTION OF THE REAL PROPERTY AS IT APPEARS IN THE COUNTY LAND RECORDS;**

**(4) THE TAX IDENTIFICATION NUMBER OF THE REAL PROPERTY;**

**(5) A STATEMENT THAT THE TAXES ARE DELINQUENT AT THE TIME OF THE FILING;**

**(6) THE AMOUNT OF TAXES THAT ARE DELINQUENT AS OF THE DATE OF FILING;**

**(7) THE NAMES AND LAST KNOWN ADDRESSES OF ALL INTERESTED PARTIES IN THE REAL PROPERTY AND, IF APPLICABLE, A STATEMENT THAT THE ADDRESS OF A PARTICULAR INTERESTED PARTY IN THE REAL PROPERTY IS**

**UNKNOWN;**

**(8) A STATEMENT THAT THE REAL PROPERTY IS A VACANT LOT OR AN IMPROVED PROPERTY CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE;**

**(9) COPIES OF ANY VIOLATION NOTICE CITED UNDER PARAGRAPH (8) OF THIS SUBSECTION;**

**(10) A REQUEST THAT THE CIRCUIT COURT NOT SCHEDULE A HEARING ON THE COMPLAINT UNTIL 30 DAYS AFTER THE DATE THAT THE COMPLAINT IS FILED; AND**

**(11) A REQUEST THAT THE CIRCUIT COURT ENTER A JUDGMENT THAT FORECLOSES THE EXISTING INTERESTS OF ALL INTERESTED PARTIES IN THE REAL PROPERTY AND ORDERS THE REAL PROPERTY TO BE SOLD AT PUBLIC AUCTION.**

**(F) A COMPLAINT FOR AN IN REM FORECLOSURE MAY BE AMENDED TO INCLUDE ALL TAXES THAT BECOME DELINQUENT AFTER THE COMMENCEMENT OF THE IN REM FORECLOSURE ACTION.**

**14–876.**

**(A) A CIRCUIT COURT MAY NOT SET A HEARING FOR AN IN REM FORECLOSURE UNTIL 30 DAYS AFTER THE COMPLAINT FOR AN IN REM FORECLOSURE IS FILED.**

**(B) AT THE HEARING, ANY INTERESTED PARTY SHALL HAVE THE RIGHT TO BE HEARD AND TO CONTEST THE DELINQUENCY OF THE TAXES AND THE ADEQUACY OF THE PROCEEDINGS.**

**(C) IF THE CIRCUIT COURT FINDS THAT THE INFORMATION SET FORTH IN THE COMPLAINT IS ACCURATE, THE COURT SHALL:**

**(1) ENTER A JUDGMENT THAT:**

**(I) PROPER NOTICE HAS BEEN PROVIDED TO ALL INTERESTED**

**PARTIES; AND**

**(II) THE REAL PROPERTY IS A VACANT LOT OR AN IMPROVED PROPERTY CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE; AND**

**(2) ORDER THAT THE REAL PROPERTY BE SOLD IN ACCORDANCE WITH THIS PART.**

**14–877.**

**(A) (1) AFTER ENTRY OF JUDGMENT UNDER § 14–876 OF THIS SUBTITLE, THE COUNTY OR MUNICIPAL CORPORATION SHALL SELL, IN ACCORDANCE WITH THE MARYLAND RULES, THE REAL PROPERTY AT PUBLIC AUCTION.**

**(2) THE REAL PROPERTY MAY NOT BE SOLD UNTIL 45 DAYS AFTER THE ENTRY OF JUDGMENT.**

**(B) THE MINIMUM BID FOR THE SALE OF THE REAL PROPERTY SHALL BE BASED ON THE FAIR MARKET VALUE OF THE REAL PROPERTY, AS DETERMINED BY THE COUNTY OR MUNICIPAL CORPORATION.**

**(C) (1) THE REAL PROPERTY SHALL BE SOLD TO THE PERSON MAKING THE HIGHEST BID.**

**(2) THE PERSON MAKING THE HIGHEST BID SHALL PAY THE FULL BID AMOUNT TO THE COUNTY OR MUNICIPAL CORPORATION.**

**(3) IF THE MINIMUM BID IS NOT MADE OR EXCEEDED, THE COUNTY OR MUNICIPAL CORPORATION THAT FILED THE COMPLAINT MAY BID THE MINIMUM BID PRICE AND PURCHASE THE REAL PROPERTY.**

**(D) (1) IF THE HIGHEST BID EXCEEDS THE MINIMUM BID AMOUNT, THE COUNTY OR MUNICIPAL CORPORATION SHALL DEPOSIT THE FUNDS IN EXCESS OF THE MINIMUM BID IN AN ESCROW ACCOUNT.**

**(2) THE CIRCUIT COURT SHALL DISTRIBUTE THE FUNDS DEPOSITED**

**INTO ESCROW TO THE INTERESTED PARTIES IN THE ORDER OF PRIORITY OF THE INTERESTS OF THE INTERESTED PARTIES.**

**(E) AFTER THE SALE, THE COUNTY OR MUNICIPAL CORPORATION SHALL FILE A NOTICE INFORMING THE CIRCUIT COURT OF THE SALE AND STATING THE DATE OF THE SALE.**

**(F) THE SALE OF REAL PROPERTY UNDER THIS SECTION IS FINAL AND BINDING ON THE MAKER OF THE HIGHEST BID.**

**14–878.**

**(A) WITHIN 90 DAYS AFTER EACH SALE, THE COUNTY OR MUNICIPAL CORPORATION SHALL FILE A REPORT OF THE SALE WITH THE CIRCUIT COURT.**

**(B) THE REPORT SHALL IDENTIFY THE SALE THAT TOOK PLACE, THE SALE PRICE, AND THE IDENTITY OF THE PURCHASER.**

**(C) THE COUNTY OR MUNICIPAL CORPORATION MAY CONSOLIDATE MULTIPLE SALE REPORTS.**

SECTION 2. AND BE IT FURTHER ENACTED, That the Court of Appeals shall adopt rules to carry out the provisions of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That a county or municipal corporation may not file a complaint for an in rem foreclosure action in accordance with this Act until the rules adopted by the Court of Appeals under Section 2 of this Act are effective.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.".

On pages 2 through 12 of the bill, strike in their entirety the lines beginning with line 39 on page 2 through line 28 on page 12, inclusive.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 38 Negative – 90 (See Roll Call No. 540)

FLOOR AMENDMENT

**HB1209/923928/1**
BY: Delegate Beitzel

AMENDMENT TO HOUSE BILL 1209
(First Reading File Bill)

On page 5, in line 8, after "**(1)**" insert "**EXCEPT AS PROVIDED IN ITEM (2) OF THIS SUBSECTION:**

**(I)**";

in line 10, strike "**(2)**" and substitute "**(II)**"; and in line 12, after "**ARTICLE**" insert "**; OR**

**(2) FOR A RESIDENT OF A COUNTY IN WHICH THE MEDIAN HOUSEHOLD INCOME IS LESS THAN $60,000:**

**(I) OCCUPIES A DWELLING WITH AN ASSESSED VALUE OF $100,000 OR LESS THAT IS SUBJECT TO A LIEN FOR UNPAID TAX; AND**

**(II) HAS A MARYLAND ADJUSTED GROSS INCOME OF $40,000 OR LESS AS CALCULATED IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE TAX – GENERAL ARTICLE**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 89 (See Roll Call No. 541)

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 15

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 168 – Chair, Judiciary Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Public Safety – Reporting of Hate Crimes**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 169 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**State Advisory Board for Juvenile Services – Duties and Access to Records**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 843 – Chair, Judiciary Committee (By Request – Departmental – Human Services)**

AN ACT concerning

**Department of Human Services – Child Abuse and Neglect – Disclosure of Information**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## INTRODUCTION OF BILLS

Delegate Stein moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 542)

In compliance with the rules, the Bill was introduced.

**House Bill 1427 – Delegate Stein**

AN ACT concerning

**Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation, and Mitigation**

FOR the purpose of altering the application of certain design and siting criteria established by the Coast Smart Council, in consultation with the Department of Natural Resources and the Department of Transportation, to apply only to certain State and local capital projects; altering the date beginning on which certain projects are required to comply with certain design and siting criteria; requiring the Department of Planning, in consultation with the Department of Natural Resources and the Department of the Environment, on or before a certain date, to develop and publish guidelines to assist local jurisdictions in the collection of data to establish certain nuisance flooding baselines; extending the date by which a certain local jurisdiction must develop a plan to address certain nuisance flooding; declaring the intent of the General Assembly; requiring the Department of Budget and Management, the Department of General Services, and the Department of Natural Resources to review and incorporate certain criteria established by the Council into certain instructions and policies; and generally relating to sea level rise inundation and coastal flooding.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 3–1001(a) and (c)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–1006(a), 3–1009, and 3–1018
Annotated Code of Maryland
(2018 Replacement Volume)

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

## QUORUM CALL

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

(See Roll Call No. 543)

## ADJOURNMENT

At 3:56 P.M. on motion of Delegate Dumais the House adjourned until 12:00 P.M. on Legislative Day March 13, 2019, Calendar Day, Saturday, March 16, 2019.

**Annapolis, Maryland**
**Legislative Day: March 13, 2019**
**Calendar Day: Saturday, March 16, 2019**
**12:00 P.M. Session**

The House met at 12:34 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric G. Luedtke of Montgomery County.

## QUORUM CALL

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

(See Roll Call No. 544)

EXCUSED:
Del. Anderson – left early – personal
Del. Branch – personal
Del. Cox – funeral
Del. Howard – illness
Del. Impallaria – late – funeral; left early – personal
Del. Kittleman – left early – personal
Del. Korman – left early – personal
Del. Miller – left early – personal
Del. Sydnor – left early – personal
Del. P. Young – personal

The Journal of March 15, 2019 was read and approved.

## JUDICIARY COMMITTEE REPORT NO. 14

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 707 – Delegates Crutchfield and Dumais**

AN ACT concerning

**Manslaughter and Homicide by Vehicle or Vessel – Penalties**

**HB0707/802410/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 707
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Dumais" and substitute ", Dumais, Adams, Anderson, Arentz, Arikan, Atterbeary, Chisholm, Ciliberti, Clark, Corderman, Cox, W. Fisher, Grammer, Hartman, Kipke, Krebs, J. Lewis, Malone, Mangione, McComas, McKay, Metzgar, Morgan, Parrott, Rose, Saab, Shetty, Szeliga, R. Watson, and Wivell"; in line 2, strike beginning with "Manslaughter" through "Vessel" and substitute "Drunk and Drugged Driving Offenses"; strike beginning with "increasing" in line 3 down through "substance;" in line 8 and substitute "prohibiting an individual from committing certain drunk or drugged driving offenses if the individual has been convicted previously for certain other crimes under certain circumstances; establishing certain penalties; increasing certain penalties for certain convictions of driving while impaired by alcohol while transporting a minor;"; in line 8, after "to" insert "establishing drunk and drugged driving offenses and altering"; and strike beginning with "manslaughter" in line 8 down through "vessel" in line 9 and substitute "drunk and drugged driving offenses".

AMENDMENT NO. 2

On page 1, in line 12, strike "2–209(a), (b), and (c),"; in line 13, strike "and"; in the same line, after "(b)" insert ", and 3–211(c)(1), (d)(1), (e)(1), and (f)(2)"; and strike in their entirety lines 18 and 19 and substitute "Section 2–505(c)(1) and (2)(i)".

AMENDMENT NO. 3

On page 1, after line 21, insert:

"BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902(a)(1)(i) and (ii) and (2)(i), (b)(1)(i) and (2)(i), (c)(1)(i) and (2)(i), and (d)(1)(i) and (2)(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–902(a)(1)(iii) and (2)(ii), (b)(1)(ii) and (2)(ii), (c)(1)(ii) and (2)(ii), and (d)(1)(ii) and (2)(ii)

Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 21–902(h) and (i)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 4

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 through line 13 on page 2, inclusive.

On page 2, strike in their entirety lines 24 through 31, inclusive.

On page 3, strike in their entirety lines 6 through 12, inclusive; in line 22, strike "**10**" and substitute "**5**"; and in line 26, strike "**15**" and substitute "**10**".

AMENDMENT NO. 5

On pages 3 and 4, strike in their entirety the lines beginning with line 33 on page 3 through line 5 on page 4 and substitute:

"3–211.

(c) (1) A person may not cause a life–threatening injury to another as a result of the person's negligently driving, operating, or controlling a motor vehicle or vessel while the person is:

(i) under the influence of alcohol; or

(ii) under the influence of alcohol per se.

(d) (1) A person may not cause a life–threatening injury to another as a result of the person's negligently driving, operating, or controlling a motor vehicle or vessel while the person is impaired by alcohol.

(e) (1) A person may not cause a life–threatening injury to another as a result of the person's negligently driving, operating, or controlling a motor vehicle or vessel while the person is so far impaired by a drug, a combination of drugs, or a combination of one or

more drugs and alcohol that the person cannot drive, operate, or control a motor vehicle or vessel safely.

(f) (2) A person may not cause a life–threatening injury to another as a result of the person's negligently driving, operating, or controlling a motor vehicle or vessel while the person is impaired by a controlled dangerous substance as defined in § 5–101 of this article.

Article – Transportation

21–902.

(a) (1) (i) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(ii) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(iii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding $1,000 or both; **AND**

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**]**.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both; **AND**

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 4 years or a fine not exceeding $4,000 or both**]**.

(b) (1) (i) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding $500 or both; **AND**

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding $500 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**]**.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding **[**6 months**]** **1 YEAR** or a fine not exceeding $1,000 or both; **AND**

2. For a second offense, imprisonment not exceeding **[**1 year**]** **2 YEARS** or a fine not exceeding $2,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 4 years or a fine not exceeding $4,000 or both**]**.

(c) (1) (i) A person may not drive or attempt to drive any vehicle while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a vehicle safely.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding $500 or both; **AND**

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding $500 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**]**.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding **[**6 months**]** **1 YEAR** or a fine not exceeding $1,000 or both; **AND**

2. For a second offense, imprisonment not exceeding **[**1 year**]** **2 YEARS** or a fine not exceeding $2,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 4 years or a fine not exceeding $4,000 or both**]**.

(d) (1) (i) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in § 5–101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding $1,000 or both; **AND**

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**]**.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both; **AND**

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both**[**; and

3. For a third or subsequent offense, imprisonment not exceeding 4 years or a fine not exceeding $4,000 or both**]**.

**(H) (1) A PERSON MAY NOT VIOLATE SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION IF THE PERSON PREVIOUSLY HAS BEEN CONVICTED OF TWO VIOLATIONS OF ANY PROVISION OF SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION.**

**(2) FOR PURPOSES OF THIS SUBSECTION, A CONVICTION FOR A CRIME UNDER THE LAWS OF THE UNITED STATES THAT WOULD BE A CRIME INCLUDED IN PARAGRAPH (1) OF THIS SUBSECTION IF COMMITTED IN THIS STATE SHALL BE CONSIDERED A PRIOR CONVICTION UNDER THIS SUBSECTION.**

**(3) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING $5,000 OR BOTH.**

**(I) (1) A PERSON MAY NOT VIOLATE SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION IF THE PERSON PREVIOUSLY HAS BEEN CONVICTED OF:**

**(I) THREE OR MORE VIOLATIONS OF ANY PROVISION OF SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION; OR**

**(II) A VIOLATION OF § 2–503, § 2–504, § 2–505, § 2–506, OR § 3–211 OF THE CRIMINAL LAW ARTICLE.**

**(2) FOR PURPOSES OF THIS SUBSECTION, A CONVICTION FOR A CRIME UNDER THE LAWS OF THE UNITED STATES THAT WOULD BE A CRIME INCLUDED IN PARAGRAPH (1) OF THIS SUBSECTION IF COMMITTED IN THIS STATE SHALL BE CONSIDERED A PRIOR CONVICTION UNDER THIS SUBSECTION.**

**(3) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING $10,000 OR BOTH.**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 16

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 712 – Delegates Crutchfield and Atterbeary**

AN ACT concerning

**Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution**

**HB0712/672912/1**
BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 712
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Atterbeary" and substitute ", Atterbeary, Malone, J. Lewis, Lopez, Grammer, Bartlett, McComas, Arikan, Shetty, W. Fisher, and Cox".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1001 – Delegates J. Lewis, Acevero, Atterbeary, D. Barnes, Barron, Bridges, Charkoudian, Conaway, Crutchfield, D.M. Davis, W. Fisher, Glenn, Guyton, Healey, Hornberger, Ivey, Jalisi, Kelly, R. Lewis, Lierman, Lopez, Love, Moon, Mosby, Queen, Rosenberg, Shetty, Smith, Solomon, Sydnor, Turner, R. Watson, and Wilkins**

AN ACT concerning

**Correctional Services – Restrictive Housing – Reporting by Correctional Units and Requirements Relating to Minors**

**HB1001/432719/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1001
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "housing;" insert "repealing a requirement that certain data be submitted to the General Assembly; requiring the Governor's Office of Crime Control and Prevention to compile and summarize certain information and submit a certain summary to the General Assembly;"; and in line 9, after "circumstances;" insert "authorizing a certain aggrieved minor to take certain actions under certain circumstances;".

AMENDMENT NO. 2

On page 2, strike beginning with "and" in line 15 down through "Article," in line 16.

On page 3, in line 7, strike "make" and substitute "**:**

**(I) COMPILE AND SUMMARIZE**";

in line 8, after "subsection" insert "**;**

**(II) SUBMIT THE SUMMARY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE; AND**

**(III) MAKE THE SUMMARY**";

and in line 17, strike "**THE MINOR POSES**" and substitute "**THERE IS**".

AMENDMENT NO. 3

On page 4, after line 12, insert:

"**(F) IF A CORRECTIONAL UNIT FAILS TO SATISFY A PROVISION OF THIS SECTION, AN AGGRIEVED MINOR MAY:**

**(1) SEEK REDRESS BY MEANS OF ANY APPROPRIATE LEGAL REMEDY; AND**

**(2) RECOVER COURT COSTS.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1165 – Delegates Atterbeary, Acevero, Carr, Cullison, W. Fisher, Hill, Ivey, Kelly, R. Lewis, Moon, Mosby, Palakovich Carr, Pena–Melnyk, Shetty, and K. Young**

AN ACT concerning

**State Government – Government Agents – Requests for and Use of Immigration Status Information**

**HB1165/942217/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1165

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "immigration;" insert "prohibiting a government agent from detaining or questioning a person based on a certain immigration or citizenship status of the person or any other person;"; and in line 10, after the semicolon insert "providing for the scope of this Act;".

AMENDMENT NO. 2

On page 2, in line 1, strike "**(1)**"; strike in their entirety lines 3 through 22, inclusive, and substitute:

"**(B) (1) THIS SECTION DOES NOT PRECLUDE:**

**(I) QUESTIONING BY A GOVERNMENT AGENT FOR PURPOSES OF CONSULAR NOTIFICATION;**

**(II) A LAW ENFORCEMENT OFFICER FROM REQUESTING A FOREIGN DRIVER'S LICENSE FROM A PERSON WHEN PRESENTED WITH AN INTERNATIONAL DRIVER'S LICENSE; OR**

**(III) AN INQUIRY BY A JUDGE WHEN THE INQUIRY IS RELEVANT TO A DETERMINATION ON THE MERITS IN A LEGAL PROCEEDING.**

**(2) THIS SECTION DOES NOT APPLY TO A GOVERNMENT AGENT WHO IS ACTING IN AN OFFICIAL CAPACITY AS AGENT OR EMPLOYEE OF:**

**(I) A STATE CORRECTIONAL FACILITY; OR**

**(II) A COUNTY OR MUNICIPALITY THAT PARTICIPATES WITH THE FEDERAL GOVERNMENT IN THE PROGRAM UNDER § 287(G) OF THE IMMIGRATION AND NATIONALITY ACT.**";

and in lines 23 and 27, strike "**(B)**" and "**(C)**", respectively, and substitute "**(C)**" and "**(D)**", respectively.

On page 3, after line 3, insert:

"**(E) A GOVERNMENT AGENT MAY NOT DETAIN OR QUESTION A PERSON BASED ON THE ACTUAL OR PRESUMED IMMIGRATION OR CITIZENSHIP STATUS OF THE PERSON OR ANY OTHER PERSON.**";

and in line 4, strike "**(D)**" and substitute "**(F)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Morgan moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1176 – Delegates Buckel and Moon**

AN ACT concerning

**Public Safety – Certification of Police Officers – Medical Cannabis Employment**

**HB1176/362614/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1176
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Moon" and substitute ", Moon, and Grammer"; and in line 4, after "distribution" insert ", production, cultivation, transportation, or sale".

AMENDMENT NO. 2

On page 1, in line 20, after "**DISTRIBUTION**" insert "**, PRODUCTION, CULTIVATION, TRANSPORTATION, OR SALE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 17

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 741 – Delegate Dumais**

AN ACT concerning

**Child Support Guidelines – Treatment of Alimony Payments**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

**House Bill 742 – Delegate Dumais**

AN ACT concerning

**Child Support – Extraordinary Medical Expenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 16

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1057 – Delegates Arentz, Ghrist, Jacobs, and Miller**

AN ACT concerning

**Alcoholic Beverages – Alcohol Awareness Program Certification Requirements – Alterations**

**HB1057/823695/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1057

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "to" in line 6 down through the first "beverages" in line 8 and substitute "who are employed to sell or serve alcoholic beverages to be certified by an approved alcohol awareness program; requiring certain individuals who are hired on or after a certain date to sell or serve alcoholic beverages to complete training in an approved alcohol awareness program within a certain time period"; in line 10, after "changes;" insert "providing for a delayed effective date;"; and in line 14, strike "4–505(a), (b), and (h)" and substitute "4–505(a), (b), (h), and (i)".

AMENDMENT NO. 2

On page 3, strike beginning with "**BEFORE**" in line 6 down through "in" in line 7 and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL WHO IS EMPLOYED TO SELL OR SERVE ALCOHOLIC BEVERAGES SHALL BE CERTIFIED BY**"; after line 8, insert:

"**(2) ON OR AFTER JANUARY 1, 2020, AN INDIVIDUAL HIRED TO SELL OR SERVE ALCOHOLIC BEVERAGES WHO IS NOT CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM AT THE TIME THE INDIVIDUAL IS HIRED SHALL COMPLETE TRAINING IN AN APPROVED ALCOHOL AWARENESS PROGRAM WITHIN 60 DAYS AFTER THE DAY ON WHICH THE INDIVIDUAL IS HIRED.**";

and in line 9, strike "**(2)**" and substitute "**(3)**".

On page 4, after line 2, insert:

"(i) (1) This section does not create or enlarge a civil cause of action or criminal proceeding against a license holder.

(2) Evidence of a violation of this section:

(i) may only be used as evidence before the local licensing board in an action brought before the local licensing board for a violation of this section; and

(ii) may not be introduced in a civil or criminal proceeding.".

On page 18, in lines 18 and 19, strike "July 1, 2019" and substitute "January 1, 2020".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1154 – Delegates Howard, Buckel, Chisholm, Malone, and Saab**

AN ACT concerning

**Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications**

**HB1154/623191/1**
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1154
(First Reading File Bill)

On page 3, in line 5, strike "**PROVIDING**" and substitute "**:**

**1. PROVIDING**";

in lines 5 and 6, strike "**OR PROTECTING**" and substitute "**;**

**2. PROTECTING**";

and in line 6, after "**INFORMATION**" insert "**; OR**

**3. PROVIDING NOTIFICATION TO NATIONAL INFORMATION SECURITY ORGANIZATIONS CREATED FOR INFORMATION–SHARING AND ANALYSIS OF SECURITY THREATS, TO ALERT AND AVERT NEW OR EXPANDED BREACHES**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1169 – Delegates D.E. Davis, Branch, Brooks, Busch, Queen, and Valderrama**

AN ACT concerning

**Business Regulation – Tobacco Products and Electronic Smoking Devices – Revisions**

**HB1169/963691/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1169
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "increasing the amount of certain license fees;"; in line 20, strike "16–204(b),"; in the same line, after "16–3A–01," insert "and"; and in the same line, after "16–3A–02" strike ", and 16.5–203(b)".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 2 through 11, inclusive.

On page 6, strike in their entirety lines 3 through 16, inclusive.

On page 11, in lines 14 and 21, in each instance, strike the brackets; and in the same lines, in each instance, strike "**$300**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 12

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1100 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Waterworks and Waste Systems Operators – Fee Setting, Sunset Extension, and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1114 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Well Drillers – Fee Setting, Sunset Extension, and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1166 – Howard County Delegation**

AN ACT concerning

**Howard County – Authority to Impose Fees for Use of Disposable Bags**

**Ho. Co. 04–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 16

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 720 – Delegates Barve, Busch, and Stein**

AN ACT concerning

**Natural Resources – Fishery Management Plans – Oysters**

**HB0720/530016/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 720
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "requiring the Department of Natural Resources to convene the Oyster Advisory Commission, in coordination with the University of Maryland Center for Environmental Science, on or before a certain date; providing for the membership of the Commission; requiring certain persons to provide information to the Commission under certain circumstances but prohibiting certain persons from participating as voting members; establishing certain requirements for the fishery management plan for oysters;"; in the same line, strike "of Natural Resources"; in lines 4 and 5, strike "Science, to convene a certain stakeholder workgroup" and substitute "Science and the Commission,"; in lines 6 and 7, strike "providing for the membership of the stakeholder workgroup;"; in lines 7 and 8, strike "stakeholder workgroup" and substitute "Commission"; in line 9, strike "review certain oyster management actions and"; in line 11, after "actions;" insert "authorizing the Commission to meet and deliberate in closed session for a certain purpose under certain circumstances, notwithstanding a certain provision of law;"; in line 14, after "actions;" insert "providing for the termination of the terms of certain members of the Commission; requiring the Secretary of Natural Resources to convene the Commission in a certain manner; requiring the Department to implement a certain Fishery Management Plan for Oysters subject to certain requirements;"; after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 4–204(c) and 4–215(e)(4)
Annotated Code of Maryland
(2018 Replacement Volume)";

and strike in their entirety lines 21 through 25, inclusive.

On page 2, in lines 20 and 21, strike "now, therefore," and substitute "and"; and after line 21, insert:

"WHEREAS, It is the intent of the General Assembly that the recommendations of this Commission be the fishery management plan for oysters; now, therefore,".

AMENDMENT NO. 2

On page 2, in lines 8 and 9, strike "1% of historic populations" and substitute "a historic low"; in line 18, after "process" insert ", as demonstrated by the OysterFutures model which utilizes a 60–40 balance of stakeholders,"; and after line 24, insert:

"4–204.

(c) (1) There is an Oyster Advisory Commission in the Department.

(2) **(I)** **[**The Commission consists of members appointed by the Secretary**]** **ON OR BEFORE JUNE 1, 2019, AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT SHALL, IN COORDINATION WITH THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE, CONVENE THE MEMBERS OF THE COMMISSION**.

**(II) THE COMMISSION SHALL INCLUDE ONLY:**

**1. A REPRESENTATIVE FROM EACH COUNTY OYSTER COMMITTEE ESTABLISHED UNDER § 4–1106(B) OF THIS TITLE DESIGNATED BY THE COMMITTEE;**

**2. A REPRESENTATIVE FROM THE MARYLAND WATERMEN'S ASSOCIATION, DESIGNATED BY THE ASSOCIATION;**

**3. A REPRESENTATIVE FROM THE MARYLAND OYSTERMEN'S ASSOCIATION, DESIGNATED BY THE ASSOCIATION;**

**4. A REPRESENTATIVE FROM THE BLACKS OF THE CHESAPEAKE FOUNDATION, DESIGNATED BY THE FOUNDATION;**

**5. A REPRESENTATIVE FROM THE AQUACULTURE INDUSTRY, DESIGNATED BY THE AQUACULTURE COORDINATING COUNCIL;**

**6. A REPRESENTATIVE FROM THE COMMERCIAL SEAFOOD BUYER INDUSTRY, DESIGNATED BY THE SECRETARY;**

**7. A REPRESENTATIVE FROM THE COASTAL CONSERVATION ASSOCIATION OF MARYLAND, DESIGNATED BY THE ASSOCIATION;**

**8. A REPRESENTATIVE FROM THE CHESAPEAKE BAY FOUNDATION, DESIGNATED BY THE FOUNDATION;**

**9. A REPRESENTATIVE FROM THE NATURE CONSERVANCY, DESIGNATED BY THE CONSERVANCY;**

**10. A REPRESENTATIVE FROM THE SHORERIVERS RIVERKEEPER ASSOCIATION, DESIGNATED BY THE ASSOCIATION;**

**11. A REPRESENTATIVE FROM THE ARUNDEL RIVERS FEDERATION, DESIGNATED BY THE FEDERATION;**

**12. A REPRESENTATIVE FROM THE OYSTER RECOVERY PARTNERSHIP, DESIGNATED BY THE PARTNERSHIP;**

**13. A REPRESENTATIVE FROM THE CHESAPEAKE BAY COMMISSION, DESIGNATED BY THE CHESAPEAKE BAY COMMISSION;**

**14. A REPRESENTATIVE FROM BLUE OYSTER ENVIRONMENTAL, DESIGNATED BY BLUE OYSTER ENVIRONMENTAL;**

**15. A REPRESENTATIVE FROM THE CHESAPEAKE BAYSAVERS, APPOINTED BY THE CHESAPEAKE BAYSAVERS;**

**16. A REPRESENTATIVE FROM THE NATIONAL AQUARIUM, DESIGNATED BY THE NATIONAL AQUARIUM; AND**

**17. A REPRESENTATIVE FROM THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE, DESIGNATED BY THE CENTER.**

**(3) THE FOLLOWING PERSONS SHALL PROVIDE INFORMATION TO THE COMMISSION AT THE REQUEST OF THE COMMISSION BUT MAY NOT PARTICIPATE AS VOTING MEMBERS:**

**(I) STATE AND FEDERAL AGENCIES TASKED WITH OYSTER MANAGEMENT AND RESTORATION RESPONSIBILITIES, INCLUDING THE DEPARTMENT, THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, AND THE U.S. ARMY CORPS OF ENGINEERS;**

**(II) THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY;**

**(III) TWO MEMBERS OF THE SENATE, ONE FROM EACH POLITICAL PARTY, APPOINTED BY THE PRESIDENT OF THE SENATE; AND**

**(IV) TWO MEMBERS OF THE HOUSE OF DELEGATES, ONE FROM EACH POLITICAL PARTY, APPOINTED BY THE SPEAKER OF THE HOUSE.**

**[**(3)**] (4)** The Commission shall:

(i) Provide the Department with advice on matters related to oysters in the Chesapeake Bay;

(ii) Review the best possible science and recommend changes to the framework and strategies for rebuilding and managing the oyster population in the Chesapeake Bay under the Chesapeake Bay Oyster Management Plan;

(iii) Review the latest findings relevant to the Environmental Impact Statement evaluating oyster restoration alternatives for the Chesapeake Bay;

(iv) Review any other scientific, economic, or cultural information relevant to oysters in the Chesapeake Bay; **[**and**]**

**(V) DEVELOP A PACKAGE OF CONSENSUS RECOMMENDATIONS, IN COORDINATION WITH THE DEPARTMENT, FOR ENHANCING AND IMPLEMENTING THE FISHERY MANAGEMENT PLAN FOR OYSTERS UNDER § 4–215 OF THIS SUBTITLE; AND**

**[**(v)**] (VI)** By December 31, 2007 and to the extent reasonably appropriate, report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:

1. Strategies to minimize the impact of oyster disease, including the State repletion program and bar cleaning;

2. The framework and effectiveness of the oyster sanctuary, harvest reserve, and repletion programs, and the overall management of natural oyster bars, after performing a cost–benefit analysis that considers biological, ecological, economic, and cultural issues;

3. Strategies to maximize the ecological benefits of natural oyster bars; and

4. Strategies to improve enforcement of closed oyster areas.".

AMENDMENT NO. 3

On page 3, in line 1, after "**MEASUREMENTS**" insert "**RECOMMENDED BY THE OYSTER ADVISORY COMMISSION UNDER PARAGRAPH (5) OF THIS SUBSECTION AND**"; in line 3, after "(ii)" insert "**THE FISHERY MANAGEMENT PLAN DEVELOPED IN ACCORDANCE WITH PARAGRAPH (5) OF THIS SUBSECTION SHALL:**

**1. END THE OVERFISHING OF OYSTERS IN ALL AREAS AND REGIONS OF THE CHESAPEAKE BAY AND ITS TRIBUTARIES WHERE OVERFISHING HAS OCCURRED ACCORDING TO BIOLOGICAL REFERENCE POINTS ESTABLISHED BY THE MOST RECENT OYSTER STOCK ASSESSMENT WHILE MAINTAINING A HARVEST IN THE FISHERY;**

**2. ACHIEVE FISHING MORTALITY RATES AT TARGET LEVELS;**

**3. INCREASE OYSTER ABUNDANCE;**

**4. INCREASE OYSTER HABITAT; AND**

**5. FACILITATE THE LONG–TERM SUSTAINABLE HARVEST OF OYSTERS, INCLUDING THE PUBLIC FISHERY.**

**(III)**";

in line 12, after "**SCIENCE**" insert "**AND THE OYSTER ADVISORY COMMISSION**"; and in lines 12 and 13, strike "**CONVENE A STAKEHOLDER WORKGROUP TO**".

On pages 3 and 4, strike in their entirety the lines beginning with line 27 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike "**(III)**" and substitute "**(II)**"; in the same line, strike "**STAKEHOLDER WORKGROUP**" and substitute "**OYSTER ADVISORY COMMISSION**"; strike beginning with "**REVIEW**" in line 20 down through "**ADDITIONAL**" in line 21 and substitute "**RECOMMEND**"; in lines 26 and 27, strike "**STAKEHOLDER WORKGROUP**" and substitute "**ITS**"; and after line 27, insert:

"**(III) NOTWITHSTANDING § 3–305 OF THE GENERAL PROVISIONS ARTICLE, AND WITH THE CONSENT OF A 75% MAJORITY OF ITS MEMBERS, THE OYSTER ADVISORY COMMISSION MAY MEET AND DELIBERATE IN CLOSED SESSION TO DEVELOP THE PACKAGE OF CONSENSUS RECOMMENDATIONS FOR ENHANCING AND IMPLEMENTING THE FISHERY MANAGEMENT PLAN FOR OYSTERS UNDER THIS PARAGRAPH.**".

AMENDMENT NO. 4

On page 5, after line 13, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The terms of the members serving on the Oyster Advisory Commission established under § 4–204(c) of the Natural Resources Article before the effective date of this Act shall terminate on the effective date of this Act.

(b) The Secretary of Natural Resources shall convene the new members of the Oyster Advisory Commission in accordance with the provisions of Section 1 of this Act.

(c) The terms of the new members convened under subsection (b) of this section shall begin on the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall implement the 2019 Fishery Management Plan for Oysters pending the development of consensus recommendations in accordance with this Act.";

and in line 14, strike "2." and substitute "4.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Adams moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 993 – Anne Arundel County Delegation (By Request – County Executive)**

AN ACT concerning

**Anne Arundel County – Ethics – Prohibitions and Requirements Regarding Qualifying Contributions During Pendency of Zoning Applications**

**HB0993/400114/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 993
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Prohibitions" in line 2 down through "Zoning" in line 3 and substitute "Contributions and Participation in Development"; in line 4, after the first "of" insert "specifying that certain provisions of law may apply to certain campaign contributions; authorizing the County Council of Anne Arundel County to enact a local law to regulate the participation of a member of the County Council or the County Executive of Anne Arundel County in any legislative action relevant to a zoning change or amendment or to a certain application if the member of the County Council or the County Executive accepts or has accepted, or as a candidate accepted, a campaign contribution from a certain individual or business entity; authorizing the County Council to enact a local law to prohibit or otherwise regulate certain campaign contributions; requiring the Anne Arundel County Ethics Commission to administer and implement a certain law; defining certain terms;".

On pages 1 and 2, strike beginning with "prohibiting" in line 4 on page 1 down through "severable;" in line 2 on page 2.

On page 2, in line 5, strike "1–101(a), (c), (o), (ff), (oo), and (tt) and 13–306(a)(1) and (2)" and substitute "1–101(a) and (o)"; and after line 7, insert:

"BY adding to
Article – Election Law
Section 13–504.1
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 25 through 27, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 10 on page 3 through line 3 on page 4, inclusive, and substitute:

"**13–504.1.**

**AS TO CONTRIBUTIONS TO THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY OR TO A MEMBER OF THE ANNE ARUNDEL COUNTY COUNCIL OR A CANDIDATE FOR ELECTION AS THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY OR AS A MEMBER OF THE ANNE ARUNDEL COUNTY COUNCIL, TITLE 5, SUBTITLE 8, PART XI OF THE GENERAL PROVISIONS ARTICLE MAY APPLY.**".

On page 4, in line 6, strike "**SECTION**"; and after line 12, insert:

"**(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) (1) "CANDIDATE" MEANS AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY FOR:**

**(I) ELECTION TO THE COUNTY COUNCIL; OR**

**(II) COUNTY EXECUTIVE.**

**(2) "CANDIDATE" INCLUDES AN INCUMBENT MEMBER OF THE COUNTY COUNCIL AND AN INCUMBENT COUNTY EXECUTIVE.**

**(C) "COUNTY COUNCIL" MEANS THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY.**

**(D) "COUNTY EXECUTIVE" MEANS THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY.**

**5–870.**

**(A) THE COUNTY COUNCIL MAY ENACT A LOCAL LAW TO REGULATE THE PARTICIPATION OF A MEMBER OF THE COUNTY COUNCIL OR THE COUNTY EXECUTIVE IN ANY LEGISLATIVE ACTION RELEVANT TO A ZONING CHANGE OR AMENDMENT, OR TO A LAND USE APPLICATION THAT IS BEFORE THE OFFICE OF PLANNING AND ZONING OR THE DEPARTMENT OF INSPECTIONS AND PERMITS, IF THE MEMBER OF THE COUNTY COUNCIL OR THE COUNTY EXECUTIVE ACCEPTS OR HAS ACCEPTED, OR AS A CANDIDATE ACCEPTED, A CAMPAIGN CONTRIBUTION FROM AN INDIVIDUAL OR A BUSINESS ENTITY INVOLVED WITH THE ACTION OR APPLICATION.**

**(B) THE COUNTY COUNCIL MAY ENACT A LOCAL LAW TO PROHIBIT OR OTHERWISE REGULATE CAMPAIGN CONTRIBUTIONS MADE TO, OR FOR THE BENEFIT OF, A MEMBER OF THE COUNTY COUNCIL, THE COUNTY EXECUTIVE, OR A CANDIDATE FOR ELECTION TO THE COUNTY COUNCIL OR COUNTY EXECUTIVE BY**

**AN INDIVIDUAL OR A BUSINESS ENTITY INVOLVED WITH A LEGISLATIVE ACTION RELEVANT TO A ZONING CHANGE OR AMENDMENT, OR TO A LAND USE APPLICATION THAT IS BEFORE THE OFFICE OF PLANNING AND ZONING OR THE DEPARTMENT OF INSPECTIONS AND PERMITS.**

**5–871.**

**IF THE COUNTY COUNCIL ENACTS A LOCAL LAW UNDER § 5–870 OF THIS SUBTITLE, THE ANNE ARUNDEL COUNTY ETHICS COMMISSION SHALL ADMINISTER AND IMPLEMENT THE PROVISIONS OF THE LOCAL LAW.**".

On pages 4 through 15, strike in their entirety the lines beginning with line 13 on page 4 through line 10 on page 15, inclusive.

On page 15, in line 11, strike "4." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1253 – Delegates Solomon, Lafferty, Boyce, Bridges, Brooks, Cain, Carr, Conaway, D.M. Davis, Fraser–Hidalgo, Gilchrist, Guyton, Harrison, Healey, Holmes, Ivey, Jalisi, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Queen, Shetty, Stein, Stewart, and Wells**

AN ACT concerning

**Environment – Drinking Water Outlets in School Buildings – Elevated Level of Lead and Grant Program**

**HB1253/860416/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1253
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wells" and substitute "Wells, Attar, and Barve"; in line 2, strike "Environment –"; in line 3, strike "Program" and substitute "Programs"; in line 6, after "buildings;" insert "specifying that the issues to which the Interagency Commission on School Construction is required to give priority in awarding grants from the Healthy School Facility Fund include the presence of lead in drinking water outlets in school buildings; requiring the Interagency Commission on School Construction, in consultation with the Department of the Environment, to establish certain application procedures;"; strike beginning with "authorizing" in line 14 down through "program" in line 15 and substitute "specifying other sources of funding for the grant program"; and in line 18, after "Act;" insert "declaring the intent of the General Assembly; providing for a delayed effective date for certain provisions of this Act;".

On page 2, after line 3, insert:

"BY repealing and reenacting, without amendments,
Article – Education
Section 5–322(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–322(j) and (k)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 18, insert:

"Article – Education

5–322.

(a) In this section, "Fund" means the Healthy School Facility Fund.

(j) (1) In each of fiscal years 2020 and 2021, the Governor shall appropriate at least $30,000,000 to the Fund.

(2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the Interagency Commission on School Construction shall give priority in awarding grants to schools based on the severity of issues in the school, including:

1. Air conditioning;

2. Heating;

3. Indoor air quality;

4. Mold remediation;

5. Temperature regulation;

6. Plumbing**, INCLUDING THE PRESENCE OF LEAD IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS**; and

7. Windows.

(ii) No jurisdiction may receive more than a total of $15,000,000 in a fiscal year.

(iii) The amount of the grant is not required to cover the full cost of the project.

(k) (1) Subject to **[**paragraph**]** **PARAGRAPHS** (2) **AND (3)** of this subsection, the Interagency Commission on School Construction shall establish application procedures for school systems to request funds under this section.

(2) The Interagency Commission on School Construction shall establish award procedures to make awards distributed from the Fund not more than 45 days after receiving an application.

**(3) (I) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL ESTABLISH APPLICATION PROCEDURES FOR SCHOOL SYSTEMS TO REQUEST FUNDS UNDER THIS SECTION TO ASSIST WITH THE COSTS OF**

**IMPLEMENTING REMEDIAL MEASURES TO ADDRESS THE PRESENCE OF LEAD IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS.**

**(II) THE APPLICATION PROCEDURES ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE PROCEDURES FOR PRIORITIZING APPLICATIONS, WITH PRIORITY FIRST GIVEN TO APPLICATIONS REQUESTING FUNDS FOR WATER FOUNTAINS OR BUBBLERS, AND THEN TO APPLICATIONS REQUESTING FUNDS FOR:**

**1. FAUCETS OR TAPS THAT ARE USED OR POTENTIALLY USED FOR DRINKING OR FOOD PREPARATION;**

**2. ICE MAKERS; OR**

**3. HOT DRINK MACHINES.**";

in line 26, strike "**OR**"; and strike in their entirety lines 27 and 28 and substitute:

"**(2) ADDRESS ANY FINDINGS OF LEAD CONCENTRATIONS IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS THAT EXCEED 5 PARTS PER BILLION BEFORE THAT STANDARD TAKES EFFECT ON JUNE 1, 2020;**

**(3) INSTALL DRINKING WATER OUTLETS IN SCHOOL BUILDINGS THAT DO NOT HAVE FUNCTIONING DRINKING WATER OUTLETS DUE TO ELEVATED LEVELS OF LEAD; OR**

**(4) REPAIR, RECONFIGURE, OR REPLACE THE OUTLET PLUMBING OR PREMISES PLUMBING CONTRIBUTING TO ELEVATED LEVELS OF LEAD IN DRINKING WATER.**".

On page 3, in line 3, strike "**COSTS**" and substitute "**:**

**(I) WHETHER THE LOCATION OF THE LEAD AFFECTING THE DRINKING WATER OUTLET IS IN THE SERVICE LINE, PREMISES PLUMBING, OUTLET PLUMBING, OR OUTLET; AND**

**(II) COSTS**";

in line 5, after "**GRANTS**" insert "**ON A COMPETITIVE BASIS AND BASED ON THE AVAILABILITY OF FUNDING**"; in line 11, after "**SUBTITLE;**" insert "**AND**"; strike beginning with "**PRIORITIZE**" in line 12 down through "**COST–EFFECTIVE**" in line 16 and substitute "**CONSISTENT WITH ANY APPLICABLE FEDERAL LAW OR REQUIREMENT, PRIORITIZE APPLICATIONS BASED ON FACTORS DETERMINED BY THE DEPARTMENT, INCLUDING:**

**(I) THE APPLICANT'S LEVEL OF FINANCIAL NEED;**

**(II) THE PERCENTAGE OF DRINKING WATER OUTLETS THAT REQUIRE REMEDIATION; AND**

**(III) THE COST–EFFECTIVENESS OF THE PROPOSED**";

and strike beginning with the first "**THE**" in line 25 down through "**PROGRAM**" in line 26 and substitute "**FUNDING FOR THE GRANT PROGRAM CONSISTS OF:**

**(I) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE GRANT PROGRAM; AND**

**(II) ANY ADDITIONAL MONEY MADE AVAILABLE TO THE GRANT PROGRAM FROM ANY PUBLIC OR PRIVATE SOURCE**".

On page 4, in line 2, after "date" insert "of Section 1"; after line 2, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a local school system is eligible for a grant award from the Healthy School Facility Fund or from the grant program established under § 6–1503 of the Environment Article, as enacted by Section 2 of this Act, to implement remedial measures to address any finding of a lead concentration in drinking water outlets in a school building that exceeds 5 parts per billion before that standard takes effect under § 6–1501 of the Environment Article, as enacted by Section 1 of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect June 1, 2020.";

in line 3, strike "4." and substitute "6."; and in the same line, after "That" insert ", except as provided in Section 5 of this Act,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 14

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 278 – Delegates Branch, Anderson, Glenn, and McIntosh**

AN ACT concerning

**Baltimore City – Control of Police Department of Baltimore City**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1353 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Nuisance Insects**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 15

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 199 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Deer Hunting – Sundays**

**HB0199/940016/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 199
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "authorizing" insert "the Department of Natural Resources to allow"; in line 4, strike "certain Sundays" and substitute "a certain Sunday"; in line 11, strike "repealing and reenacting, with amendments," and substitute "adding to"; and in line 13, strike "10–410(a)(3)" and substitute "10–410(a)(12)".

AMENDMENT NO. 2

On pages 1 and 2, strike the lines beginning with line 22 on page 1 through line 4 on page 2 and substitute:

"**(12) (I) THIS PARAGRAPH APPLIES ONLY IN WICOMICO COUNTY.**

**(II) SUBJECT TO § 10–415 OF THIS SUBTITLE, THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON PRIVATE PROPERTY ON THE SECOND SUNDAY IN DEER FIREARMS SEASON FROM 30 MINUTES BEFORE SUNRISE UNTIL 10:30 A.M.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 225 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – School Facilities Surcharge – Exemptions – Transit Oriented Development – Workforce Housing**

**PG 415–19**

**HB0225/990813/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 225

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 6 down through "area," in line 8.

AMENDMENT NO. 2

On page 2, in line 22, after "housing**;**" insert "**OR**"; and strike beginning with "**A**" in line 23 down through "**(C)**" in line 26.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 923 – Delegates Stein, Bridges, Fraser–Hidalgo, Gaines, Ghrist, Harrison, Healey, Hettleman, Krimm, and Lierman**

AN ACT concerning

**Task Force to Study Transportation Access**

**HB0923/760415/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 923

(First Reading File Bill)

On page 3, in line 2, strike "and"; in line 3, after "(14)" insert "one representative of a privately operated ride–sharing service, appointed by the Secretary of Transportation; and

(15)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1194 – Delegates Lierman, Gilchrist, Hettleman, Lafferty, R. Lewis, and P. Young**

AN ACT concerning

**Natural Resources – Whistleblower Program – Establishment**

**HB1194/800017/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1194
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Natural Resources Protection Program of 2019"; in lines 3 and 4, strike "Natural Resources Whistleblower Program" and substitute "Natural Resources Protection Program through a contractual relationship with a third–party organization to provide rewards of financial compensation to individuals and nonprofit organizations that report violations of natural resources and conservation laws"; strike beginning with "requiring" in line 5 down through the semicolon in line 15; in line 15, after "Department" insert "and the third–party organization"; in the same line, after "certain" insert "joint"; in line 16, after the semicolon insert "requiring the Department to select an ombudsperson to serve as a liaison between the Department and the third–party organization; establishing the purpose of the ombudsperson;"; strike beginning with "altering" in line 18 down through "term;" in line 20; and in line 21, strike "the Natural

Resources Whistleblower Program" and substitute "a program to provide rewards of financial compensation for reporting violations of natural resources or conservation laws".

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 27 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, in line 1, strike "whistleblower program by entering into a partnership" and substitute "contractual relationship"; in lines 9 and 10, strike "**A NATURAL RESOURCES WHISTLEBLOWER PROGRAM**" and substitute "**A NATURAL RESOURCES PROTECTION PROGRAM THROUGH A CONTRACTUAL RELATIONSHIP WITH A THIRD–PARTY ORGANIZATION TO PROVIDE REWARDS OF FINANCIAL COMPENSATION TO INDIVIDUALS AND NONPROFIT ORGANIZATIONS THAT REPORT VIOLATIONS OF NATURAL RESOURCES OR CONSERVATION LAWS**"; in line 14, strike the second "**AND**"; in line 16, strike the period and substitute "**; AND**"; and in line 17, strike "**(3) THE PROGRAM SHALL PROVIDE**" and substitute "**(III) PROVIDE**".

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 21 on page 4, inclusive.

On page 4, in line 22, strike "**(C)**" and substitute "**(B)**"; in the same line, after "**DEPARTMENT**" insert "**AND THE THIRD–PARTY ORGANIZATION**"; in line 23, after "**A**" insert "**JOINT**"; in line 26, strike "**REVENUE**" and substitute "**AGGREGATE VALUE OF THE CONTRIBUTIONS**"; in lines 27 and 28, strike "**BY THE NATURAL RESOURCES WHISTLEBLOWER FUND**"; in line 29, before "**REPORTS**" insert "**NUMBER AND TYPES OF**"; in the same line, after "**TO THE**" insert "**THIRD–PARTY ORGANIZATION AND THE**"; and in line 30, strike "**AND**".

On page 5, in line 2, strike the period and substitute a semicolon; and after line 2, insert:

"**(4) THE METHODOLOGY THAT THE THIRD–PARTY ORGANIZATION USED TO MAKE THE REWARDS;**

**(5) THE VALUE OF CONTRIBUTIONS BY INDIVIDUAL AND CORPORATE DONATIONS;**

**(6) THE NUMBER OF TIPS THAT LED TO ARRESTS AND ADJUDICATION;**

**(7) THE CUMULATIVE VALUE OF NATURAL RESOURCES AND PROPERTY INVOLVED IN THE CASES; AND**

**(8) A LIST OF NONINDIVIDUAL DONORS.**

**(C) (1) THE DEPARTMENT SHALL SELECT AN OMBUDSPERSON TO SERVE AS A LIAISON BETWEEN THE DEPARTMENT AND THE THIRD–PARTY ORGANIZATION.**

**(2) THE OMBUDSPERSON SHALL BE AN EMPLOYEE OF THE DEPARTMENT.**

**(3) THE PURPOSE OF THE OMBUDSPERSON IS TO:**

**(I) BE THE PRIMARY LIAISON BETWEEN THE DEPARTMENT, THE NATURAL RESOURCES POLICE FORCE, THE THIRD–PARTY ORGANIZATION, AND THE INDIVIDUAL OR ORGANIZATION THAT PROVIDED THE TIP;**

**(II) COLLECT AND MAINTAIN RECORDS AND DATA FOR THE REPORTING REQUIREMENT UNDER SUBSECTION (B) OF THIS SECTION;**

**(III) PROVIDE INDIVIDUALS AND NONPROFIT ORGANIZATIONS REGULAR UPDATES ON THE STATUS OF THE PROVIDED TIPS;**

**(IV) WORK WITH THE DEPARTMENT AND THE THIRD–PARTY ORGANIZATION TO PROACTIVELY MARKET THE EXISTENCE OF THE PROGRAM; AND**

**(V) MAINTAIN ACTIVE COMMUNICATION WITH THE NATURAL RESOURCES POLICE FORCE INVESTIGATORY DIVISION AND ENSURE THAT TIPS ARE INVESTIGATED FULLY BY THE NATURAL RESOURCES POLICE FORCE.**".

On pages 5 and 6, strike in their entirety the lines beginning with line 5 on page 5 through line 28 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 11

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 589 – Delegates Barron and Kipke**

AN ACT concerning

**Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers – Reimbursement Requirements**

**HB0589/676183/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 589
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; in the sponsor line, strike "and Kipke" and substitute ", Kipke, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; in line 3, strike "Reimbursement Requirements" and substitute "Audit and Professional Dispensing Fees"; strike beginning with "establish" in line 4 down through "fee" in line 10 and substitute "enter into a certain contract as soon as practicable for a certain audit of certain managed care organizations; requiring a certain auditor to be provided with access to certain documents and information; requiring the Program to provide the results of the audit to the General Assembly on or before a certain date; requiring the Maryland Department of Health, in consultation with the Maryland Insurance Administration, to develop and report certain recommendations to the General Assembly on or before a certain date; authorizing the Department to apply to the Centers for Medicare and Medicaid Services for certain authority as soon as practicable but not later than a certain date; making this Act an emergency measure; providing for the termination of certain provisions of this Act"; and strike in their entirety lines 12 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 1, strike "the Laws of Maryland read as follows"; strike in their entirety, lines 2 through 33, inclusive, and substitute:

"(a) The Maryland Medical Assistance Program shall enter into a contract with an independent auditor as soon as practicable to conduct an audit of pharmacy benefits managers that contract with managed care organizations for the purpose of determining the amount of Medicaid funds used to reimburse managed care organizations, pharmacy benefits managers, and pharmacies and the dollar amount of funds received by each respective party.

(b) The independent auditor shall be provided with access to the following documents and information by either the managed care organization, the pharmacy benefits manager, or the pharmacy:

(1) contracts between the managed care organization and the pharmacy benefits manager;

(2) contracts between the pharmacy benefits manager and pharmacies receiving reimbursement;

(3) full encounter claims data showing the amount the managed care organization paid the pharmacy benefits manager;

(4) full encounter claims data showing the amount that was paid to the pharmacies by the pharmacy benefits managers;

(5) information requested from the pharmacy benefits manager or the pharmacy via questionnaire by the auditor; and

(6) any additional information required by the auditor to determine the actual reimbursement to the managed care organizations, pharmacy benefits managers, and pharmacies.

(c) On or before December 1, 2019, the Maryland Medical Assistance Program shall provide the results of the audit to the General Assembly, in accordance with § 2–1246 of the State Government Article.

(d) As soon as practicable but not later than January 1, 2020, the Maryland Department of Health, in consultation with the Maryland Insurance Administration, shall develop recommendations for establishing a process for appealing decisions made in accordance with contracts between a pharmacy benefits manager and a managed care organization and, in accordance with § 2–1246 of the State Government Article, report the recommendations to the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That, as soon as practicable but not later than July 1, 2020, the Maryland Department of Health may apply to the Centers for Medicare and Medicaid Services for the appropriate authority, subject to the limitations of the State budget, to provide professional dispensing fees or other measures for pharmacies based on volume of prescriptions and geographic designation or such other factors as determined by the Department in order to ensure access to pharmacy services.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. Section 2 of this Act shall remain effective through July 1, 2021, and, at the end of July 1, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 592 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, D.E. Davis, Fennell, Gaines, Kelly, Sample–Hughes, Stein, and Wilson**

AN ACT concerning

**Health Care Facilities – Comprehensive and Extended Care Facilities – Discharges and Transfers**

**HB0592/396689/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 592
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young"; in line 5, after "facility;" insert "requiring certain individuals to pursue certain assistance from the medical assistance program in a certain manner;"; in line 21, after "transfer;" insert "requiring, to the extent authorized under State and federal law, a facility to provide a certain supply of certain medications at the time of discharge or transfer;"; and in line 22, after "resident;" insert "altering the cooperation and assistance required of a resident's next of kin or legal representative in the discharge planning process; authorizing a facility to petition a certain circuit court for certain relief under certain circumstances;".

On page 2, in line 1, after "19–343," insert "19–344(c)".

AMENDMENT NO. 2

On page 3, after line 20, insert:

"19–344.

(c) (1) In this subsection, "agent" means a person who manages, uses, or controls the funds or assets that legally may be used to pay the applicant's or resident's share of costs or other charges for the facility's services.

(2) Except as provided by the Department, a facility may not charge an applicant or resident who is a medical assistance beneficiary, or the applicant's or resident's agent, any amount in addition to the amounts determined by the medical assistance program for services that are covered by medical assistance.

(3) Unless otherwise agreed, the financial obligation of the applicant's or resident's agent is limited to the amount of the applicant's or resident's funds that are considered available to the agent by the medical assistance program.

(4) (i) A facility may require an applicant, a resident, or the agent of an applicant or resident to agree to distribute any funds, including income or assets of the applicant or resident, which the medical assistance program has determined to be available to pay for the cost of the applicant's or resident's care, to the facility, promptly when due, for the cost of the applicant's or resident's care.

(ii) For the purpose of this section, funds of the applicant or resident include funds of the applicant or resident that are under the use, ownership, management, or control of the agent.

(iii) A resident or agent of the resident who has not paid a current obligation for the resident's care may apply to the medical assistance program for a determination of the funds available to pay for the cost of the resident's care.

(iv) If a request for a determination is made under subparagraph (iii) of this paragraph, the medical assistance program shall make the determination.

(v) If a resident or agent of a resident who has not paid a current obligation for the resident's care fails to request a determination under subparagraph (iii) of this paragraph, the facility may, without requesting the appointment of a guardian, petition the appropriate circuit court for an order **OR INJUNCTION** directing the resident or agent of the resident to request **AND PURSUE** the determination with due diligence **OR GRANTING OTHER APPROPRIATE RELIEF TO ENFORCE THE OBLIGATIONS UNDER THIS SECTION**.

(vi) If a resident or agent of the resident fails to pay for the cost of the resident's care from funds that the medical assistance program has determined to be available to pay for that care, the facility may, without requesting the appointment of a guardian, petition the appropriate circuit court for an order directing the resident or agent of the resident to pay the facility from the funds determined by the medical assistance program to be available.

(5) (i) An applicant, a resident, or the agent of an applicant or resident shall seek **AND PURSUE WITH DUE DILIGENCE**, on behalf of the applicant or resident, all assistance from the medical assistance program which may be available to the applicant or resident.

(ii) The facility shall cooperate with and assist the agent in seeking assistance from the medical assistance program on behalf of the applicant or resident.

(iii) If a resident or the agent of a resident fails to seek assistance from the medical assistance program or to cooperate fully in the eligibility determination process, a facility providing care to the resident may, without requesting the appointment of a guardian, petition the appropriate circuit court for an order **OR INJUNCTION** requiring the resident or agent of the resident to seek assistance from the medical assistance program or to cooperate in the eligibility determination process with due diligence **OR GRANTING OTHER APPROPRIATE RELIEF TO ENFORCE THE OBLIGATIONS UNDER THIS SECTION**.

(6) (i) Any agent who willfully or with gross negligence violates the requirements of paragraph (4) of this subsection regarding the distribution of the applicant's or resident's funds is subject to a civil penalty not less than the amount of funds subject to the violation.

(ii) Any agent who willfully or with gross negligence violates the requirements of paragraph (5) of this subsection regarding an application for medical assistance by or on behalf of an applicant or resident is subject to a civil penalty not exceeding $10,000.

(iii) The Attorney General is responsible for the enforcement and prosecution of violations of the provisions of paragraphs (4) and (5) of this subsection.

(7) Nothing in this subsection may be construed to prohibit any person from knowingly and voluntarily agreeing to guarantee payment for the cost of an applicant's care.".

AMENDMENT NO. 3

On page 4, in line 12, after the first "**THE**" insert "**PROPOSED**"; in the same line, after "**TRANSFER**" insert "**, WHICH MAY CHANGE AS A RESULT OF AN APPEAL OR THE DISCHARGE PLANNING PROCESS**"; in line 15, after "**TRANSFERRED**" insert "**, WHICH MAY CHANGE AS A RESULT OF AN APPEAL OR THE DISCHARGE PLANNING PROCESS**"; strike in their entirety lines 16 through 21, inclusive, and substitute:

"**(4) THE NAME OF THE SOCIAL WORKER OR OTHER PROFESSIONALLY QUALIFIED STAFF, WHICH MAY CHANGE DURING THE DISCHARGE PLANNING PROCESS, WHO:**

**(I) IS DESIGNATED TO PROVIDE SOCIAL SERVICES AND DISCHARGE PLANNING SERVICES TO THE RESIDENT IN CONNECTION WITH THE DISCHARGE OR TRANSFER; AND**

**(II) WILL BE RESPONSIBLE FOR THE DEVELOPMENT OF THE POST DISCHARGE PLAN OF CARE UNDER SUBSECTION (G) OF THIS SECTION;**";

and in line 23, after "**RESIDENT**" insert "**, THE RESIDENT'S REPRESENTATIVE,**".

AMENDMENT NO. 4

On page 6, in line 26, after "**RESIDENT**" insert "**TO ASSIST THE RESIDENT WITH ADJUSTING TO THE RESIDENT'S NEW LIVING ENVIRONMENT AND**".

On page 8, strike in their entirety lines 24 and 25; in line 26, strike "**(5)**" and substitute "**(4)**"; in line 30, strike "**(6)**" and substitute "**(5)**"; after line 31, insert:

"**(C) TO THE EXTENT AUTHORIZED UNDER STATE AND FEDERAL LAW, A FACILITY SHALL PROVIDE AT LEAST A 3–DAY SUPPLY OF MEDICATIONS CURRENTLY BEING TAKEN BY THE RESIDENT AT THE TIME OF DISCHARGE OR TRANSFER.**";

and in line 32, strike "(c)" and substitute "**(D)**".

On page 9, in line 8, after "**FACILITY**" insert "**UNLESS THE FACILITY DOCUMENTS WHY IT IS IN THE BEST INTEREST OF THE RESIDENT TO BE DISCHARGED TO ANOTHER LOCATION**"; in line 14, strike "**MARYLAND MEDICAL ASSISTANCE PROGRAM,**" and substitute "**MEDICAL ASSISTANCE PROGRAM OR**"; in line 15, strike "**MARYLAND MEDICAL ASSISTANCE PROGRAM**" and substitute "**MEDICAL ASSISTANCE PROGRAM**"; in line 17, strike "**A.**"; in the same line, strike "**THE**" and substitute "**IF THE**"; in the same line, after "**IS**" insert "**OR MAY BE**"; in line 18, strike "**MARYLAND MEDICAL ASSISTANCE PROGRAM**" and substitute "**MEDICAL ASSISTANCE PROGRAM**"; in line 19, strike "**B.**" and substitute "**A.**"; in line 20, strike "**§ 19–334(C)**" and substitute "**§ 19–344(C)**"; in line 22, strike "**MARYLAND MEDICAL ASSISTANCE PROGRAM**" and substitute "**MEDICAL ASSISTANCE PROGRAM AND HAS DOCUMENTED THE COOPERATION AND ASSISTANCE**"; strike in their entirety lines 23 and 24; in line 25, strike "**D.**" and substitute "**B.**"; in line 28, strike "**E.**" and substitute "**C.**"; and strike beginning with "**MARYLAND**" in line 26 down through "**PROGRAM**" in line 27 and substitute "**MEDICAL ASSISTANCE PROGRAM OR HAS REPEATEDLY FAILED,**

**DESPITE THE FACILITY'S DOCUMENTED ASSISTANCE, TO MAKE GOOD–FAITH EFFORTS TO SUPPLY INFORMATION OR MATERIALS NECESSARY FOR THE MEDICAL ASSISTANCE PROGRAM TO ENROLL THE RESIDENT**".

AMENDMENT NO. 5

On page 10, in line 11, strike "(d)" and substitute "**(E) (1)**"; in line 14, strike "(1)" and substitute "**(I)**"; in line 16, strike "(2)" and substitute "**(II)**"; strike beginning with "applying" in line 16 down through "resident" in line 17 and substitute "**MEETING THE REQUIREMENTS OF § 19–344(C) OF THIS SUBTITLE TO SEEK AND PURSUE WITH DUE DILIGENCE ASSISTANCE FROM THE MEDICAL ASSISTANCE PROGRAM.**

**(2) A FACILITY MAY, WITHOUT REQUESTING THE APPOINTMENT OF A GUARDIAN, PETITION THE APPROPRIATE CIRCUIT COURT FOR AN ORDER OR INJUNCTION DIRECTED AT THE RESIDENT OR AGENT OF THE RESIDENT FOR APPROPRIATE RELIEF TO ENFORCE THIS SUBSECTION**";

and in line 18, strike "(e)" and substitute "**(F)**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 626 – Delegate Krebs**

EMERGENCY BILL

AN ACT concerning

**Health Care Facilities – Change in Bed Capacity – Certificate of Need Exemption**

**HB0626/246288/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 626
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Krebs" and substitute "Delegates Krebs, Pendergrass, Pena–Melnyk, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young"; in line 6, strike the first comma and substitute "or"; in lines 6 and 7, strike beginning with the second comma in line 6 down through "circumstances" in line 7; and in line 9, after "capacity;" insert "requiring the Commission to review a certain chapter of the State Health Plan and, under certain circumstances, report to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, in line 31, after "**SECRETARY;**" insert "**OR**".

On page 3, in line 2, strike "**OR**" and substitute "**AND**"; strike in their entirety lines 3 through 6, inclusive; after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health Care Commission shall:

(1) review the chapter of the State Health Plan on Psychiatric Services; Emergency Medical Services; and

(2) if regulations are not adopted that update the chapter of the State Health Plan on Psychiatric Services; Emergency Medical Services on or before December 30, 2019, provide a report on the review required under item (1) of this section to the Senate Finance Committee and House Health and Government Operations Committee in accordance with § 2–1246 of the State Government Article on or before December 30, 2019.";

and in line 10, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 761 – Delegates Patterson, D. Barnes, Brooks, Carey, Charles, D.M. Davis, Fennell, W. Fisher, Harrison, Healey, Hill, Ivey, Jackson, Proctor, Queen, Sample–Hughes, Turner, and Valentino–Smith**

AN ACT concerning

**Health – Sickle Cell Disease – Steering Committee, Services, Testing, and Funding**
**(Sickle Cell Treatment Act of 2019)**

**HB0761/486883/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 761
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Valentino–Smith" and substitute "Valentino–Smith, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Chisholm, Cullison, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young"; in line 2, strike the first comma and substitute "and"; strike beginning with the second comma in line 2 down through "2019)" in line 4; in line 8, strike "requiring" and substitute "authorizing"; strike beginning with "requiring" in line 12 down through "individual;" in line 18; and in line 27, strike "and 18–508".

AMENDMENT NO. 2

On page 3, in line 24, strike "**SHALL**" and substitute "**MAY**".

AMENDMENT NO. 3

On page 4, strike in their entirety lines 11 and 12; and in lines 13, 15, and 18, strike "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(5)**", "**(6)**", and "**(7)**", respectively.

On pages 4 and 5, strike in their entirety the lines beginning with line 24 on page 4 through line 17 on page 5.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 12

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 317 – Delegate Cullison**

AN ACT concerning

**Maryland Commission on Civil Rights – Civil Penalties**

**HB0317/526081/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 317
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "altering certain civil penalties" and substitute "providing that certain maximum penalty amounts"; and strike beginning with "; providing" in line 7 down through "malicious;" in line 9 and substitute "do not apply under certain circumstances; prohibiting the Commission from seeking a civil penalty against a respondent if the discriminatory act is regarding accessibility, the respondent takes certain action, and the respondent has not previously been the subject of a certain complaint; requiring an administrative law judge to consider certain information when determining the amount of a certain civil penalty;".

AMENDMENT NO. 2

On page 2, in line 13, strike "subsection" and substitute "**SUBSECTIONS**"; in the same line, after "(b)" insert "**AND (C)**"; in line 18, strike the brackets; in the same line, strike "**$2,500**"; in line 21, strike "**NOT LESS THAN $2,500 AND**"; in the same line, strike the brackets; in the same line, strike "**$10,000**"; in line 24, strike "**NOT LESS THAN $5,000 AND**"; in the same line, strike the brackets; in the same line, strike "**$25,000**"; in line 25, after "(b)" insert "**(1)**"; in lines 25, 27, and 28, in each instance, strike the bracket; in line

27, strike "**DETERMINED TO BE MALICIOUS, THE MAXIMUM AMOUNTS**"; in line 28, strike "**(A)**"; after line 28, insert:

"**(2) IF THE DISCRIMINATORY ACT IS COMMITTED BY THE AGENT OR EMPLOYEE OF A RESPONDENT, THE MAXIMUM AMOUNTS SET FORTH IN SUBSECTION (A)(2) AND (3) OF THIS SECTION DO NOT APPLY AND THE COMMISSION MAY SEEK AN ORDER ASSESSING A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING $25,000, PROVIDED THAT:**

**(I) THE DISCRIMINATORY ACT COMMITTED BY THE AGENT OR EMPLOYEE IS DETERMINED TO BE MALICIOUS; AND**

**(II) THE RESPONDENT HAS NOT REASONABLY MITIGATED HARM CAUSED BY THE DISCRIMINATORY ACT.**

**(3) THE MAXIMUM AMOUNTS SET FORTH IN SUBSECTION (A)(2) AND (3) DO NOT APPLY IF THE DISCRIMINATORY ACT IS FOUND TO BE MALICIOUS.**

**(C) THE COMMISSION MAY NOT SEEK AN ORDER ASSESSING A CIVIL PENALTY AGAINST A RESPONDENT IF:**

**(1) THE DISCRIMINATORY ACT WAS LIMITED TO A VIOLATION RELATING TO ACCESSIBILITY;**

**(2) THE RESPONDENT, AFTER BEING SERVED, TAKES PROMPT CORRECTIVE ACTION; AND**

**(3) THE RESPONDENT HAS NOT PREVIOUSLY BEEN THE SUBJECT OF A COMPLAINT UNDER § 20–1004 OF THIS SUBTITLE.**

**(D) IF THE COMMISSION SEEKS AN ORDER ASSESSING A CIVIL PENALTY BEFORE AN ADMINISTRATIVE LAW JUDGE UNDER § 20–1008 OF THIS SUBTITLE, IN DETERMINING THE AMOUNT OF THE CIVIL PENALTY TO BE IMPOSED, THE ADMINISTRATIVE LAW JUDGE SHALL CONSIDER:**

**(1) THE SERIOUSNESS OF THE DISCRIMINATORY ACT;**

**(2) THE GOOD FAITH OF THE RESPONDENT;**

**(3) THE HARMFUL EFFECT TO THE PUBLIC OF THE DISCRIMINATORY ACT;**

**(4) THE HARMFUL EFFECT OF THE RESPONDENT'S ACTIONS ON THE INVESTIGATORY PROCESS OF THE COMMISSION; AND**

**(5) THE RESPONDENT'S ASSETS.**";

and in line 29, strike "(c)" and substitute "**(E)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Adams moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 680 – Delegates Cullison, Barron, Bromwell, Carey, Carr, Charkoudian, Glenn, Johnson, Kelly, Lafferty, R. Lewis, Pena–Melnyk, Reznik, Sample–Hughes, and P. Young**

AN ACT concerning

**Responsible Workforce Development Percentage Price Preference Act**

**HB0680/716685/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 680
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute "State Procurement – State Funded Construction Projects – Payment of Employee Health Care Expenses"; strike

beginning with "units" in line 4 down through "bid;" in line 10 and substitute "bidders, contractors, and subcontractors to pay certain employee health care expenses; requiring the Department of General Services and the Department of Transportation, by regulation, to establish certain procedures to certify that a bidder, contractor, or subcontractor pays certain employee health care expenses; establishing the methods by which a bidder, contractor, or subcontractor demonstrates the payment of certain employee health care expenses; authorizing a bidder, contractor, or subcontractor to demonstrate the payment of employee health care expenses in a certain manner on or before a certain date;"; in line 11, after "Services" insert "and the Department of Transportation"; strike beginning with "prohibiting" in line 14 down through "amount;" in line 21 and substitute "authorizing a procurement officer to void a contract under certain circumstances;"; in line 23, after "persons;" insert "requiring the Board to collect certain information and report to certain committees of the General Assembly;"; in line 24, after "terms;" insert "providing for the application of this Act;"; strike beginning with "percentage" in line 24 down through "procurement" in line 25 and substitute "procurement and the payment of employee health care expenses"; and in line 28, strike "14–701 through 14–705" and substitute "17–801 through 17–804".

On pages 1 and 2, strike beginning with ""Subtitle" in line 28 on page 1 through "Preference"" in line 1 on page 2 and substitute ""Subtitle 8. Responsible Payment of Employee Health Care Expenses"".

AMENDMENT NO. 2

On page 2, strike beginning with "and" in line 7 down through "Maryland" in line 9; and strike in their entirety lines 13 and 14 and substitute "**SUBTITLE 8. RESPONSIBLE PAYMENT OF EMPLOYEE HEALTH CARE EXPENSES.**".

On page 2 in line 15, on page 3 in line 29, on page 4 in line 2, and on page 5 in line 33, strike "**14–701.**", "**14–702.**", "**14–703.**", and "**14–705.**", respectively, and substitute "**17–801.**", "**17–802.**", "**17–803.**", and "**17–804.**", respectively.

AMENDMENT NO. 3

On page 2, in line 27, after "**EMPLOYED**" insert "**BY A RESPONSIBLE BIDDER, CONTRACTOR, OR SUBCONTRACTOR**"; in the same line, after "**WORK**" insert "**ON OR AT THE SITE OF A STATE–FUNDED CONSTRUCTION PROJECT**"; strike beginning with "**IN**" in line 27 down through "**SUBCONTRACTOR**" in line 28; and in line 31, after "**EMPLOYEE**" insert "**, UNLESS THE EMPLOYEE HAS COVERAGE UNDER ANOTHER PLAN**".

On page 3, in line 1, after "**(I)**" insert "**CONTRIBUTIONS MADE ON BEHALF OF AN EMPLOYEE TO PROVIDE CREDIBLE HEALTH CARE COVERAGE IN THE FORM OF ANY GROUP POLICY, CONTRACT, OR PROGRAM THAT IS WRITTEN OR ADMINISTERED BY A DISABILITY INSURER, HEALTH CARE SERVICE PLAN, FRATERNAL BENEFITS SOCIETY, SELF–INSURED EMPLOYER PLAN, OR ANY OTHER ENTITY, IN THIS STATE OR ELSEWHERE, THAT ARRANGES OR PROVIDES MEDICAL, HOSPITAL, AND SURGICAL COVERAGE NOT DESIGNATED TO SUPPLEMENT OTHER PRIVATE OR GOVERNMENTAL PLANS;**

**(II)**";

in lines 6, 8, 10, and 12, strike "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively, and substitute "**(III)**", "**(IV)**", "**(V)**", and "**(VI)**", respectively; strike in their entirety lines 21 through 26, inclusive; and in line 27, strike "**(H)**" and substitute "**(G)**".

AMENDMENT NO. 4

On page 3, in line 30, strike "**THE**" and substitute "**(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**".

On pages 3 and 4, strike beginning with "**EACH**" in line 30 on page 3 down through "**4%.**" in line 1 on page 4 and substitute "**ALL BIDDERS, CONTRACTORS, AND SUBCONTRACTORS TO PAY EMPLOYEE HEALTH CARE EXPENSES AS REQUIRED BY THIS SUBTITLE.**

**(B) THIS SUBTITLE DOES NOT APPLY TO:**

**(1) A MINORITY BUSINESS ENTERPRISE, AS DEFINED UNDER TITLE 14, SUBTITLE 3 OF THIS ARTICLE; OR**

**(2) A SMALL BUSINESS WITH 30 OR FEWER EMPLOYEES.**".

On page 4, strike in their entirety lines 3 through 24, inclusive; after line 24 insert:

"**(A) BY REGULATION, THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF TRANSPORTATION SHALL ESTABLISH PROCEDURES FOR EACH BIDDER, CONTRACTOR, OR SUBCONTRACTOR THAT PERFORMS WORK ON A STATE–FUNDED CONSTRUCTION PROJECT TO CERTIFY THAT THE BIDDER,**

**CONTRACTOR, OR SUBCONTRACTOR PAYS EMPLOYEE HEALTH CARE EXPENSES IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.**

**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A BIDDER, CONTRACTOR, OR SUBCONTRACTOR SHALL DEMONSTRATE THE PAYMENT OF EMPLOYEE HEALTH CARE EXPENSES BY SUBMITTING CERTIFICATION OR A VALID CONTRACT TO THE DEPARTMENT OF GENERAL SERVICES OR THE DEPARTMENT OF TRANSPORTATION EVIDENCING THAT, WITH RESPECT TO THE EMPLOYEES WHO WILL WORK ON OR AT THE SITE OF THE PROJECT:**

**(I) THE BIDDER, CONTRACTOR, OR SUBCONTRACTOR PAYS AGGREGATE EMPLOYEE HEALTH CARE EXPENSES OF AT LEAST 5% OF THE AGGREGATE SOCIAL SECURITY WAGES PAID BY THE BIDDER, CONTRACTOR, OR SUBCONTRACTOR; OR**

**(II) THE BIDDER, CONTRACTOR, OR SUBCONTRACTOR PAYS 50% OR MORE OF THE REQUIRED PREMIUM NECESSARY TO OBTAIN COVERAGE BY A CREDIBLE HEALTH CARE INSURANCE PLAN.**

**(2) BEFORE JULY 1, 2020, A BIDDER, CONTRACTOR, OR SUBCONTRACTOR MAY DEMONSTRATE PAYMENT OF EMPLOYEE HEALTH CARE EXPENSES BY SUBMITTING CERTIFICATION OR A VALID CONTRACT TO THE DEPARTMENT OF GENERAL SERVICES OR THE DEPARTMENT OF TRANSPORTATION EVIDENCING, WITH RESPECT TO THE EMPLOYEES WHO WILL WORK ON OR AT THE SITE OF THE PROJECT, THAT:**

**(I) UNDER A CONTRACT WITH A CREDIBLE HEALTH CARE INSURANCE PLAN OR THROUGH A COLLECTIVE BARGAINING AGREEMENT, THE BIDDER, CONTRACTOR, OR SUBCONTRACTOR PAYS SOME PORTION OF EMPLOYEE HEALTH CARE EXPENSES; AND**

**(II) THE BIDDER, CONTRACTOR, OR SUBCONTRACTOR WILL MEET THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION ON RENEWAL OF THE CONTRACT OR COLLECTIVE BARGAINING AGREEMENT.**";

and in line 25, after "**SERVICES**" insert "**AND THE DEPARTMENT OF TRANSPORTATION**".

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 9 on page 5, inclusive.

On page 5, after line 9, insert:

"**(E) IF A RESPONSIBLE BIDDER THAT IS AWARDED A CONTRACT TO WORK ON A STATE–FUNDED CONSTRUCTION PROJECT FAILS TO SUBMIT RECORDS REQUIRED UNDER THIS SECTION WITHIN A REASONABLE PERIOD OF TIME, THE PROCUREMENT OFFICER MAY VOID THE CONTRACT.**";

and strike in their entirety lines 10 through 32, inclusive.

AMENDMENT NO. 5

On page 6, after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Board of Public Works shall collect the following information for all construction–related, competitive sealed bids for projects for a period of 3 years following the enactment of this Act:

(1) whether the bidding company and any subcontractor provides employee health care coverage or family health care coverage on projects that require a prevailing wage;

(2) for the year preceding the bid, what the percentage of total Social Security wages was, as well as the total amount spent on employee health care;

(3) what percentage of total health insurance coverage costs are paid by the insurance company, versus an employee, what the type and scope of the coverage are, and what the average percentage of the monthly premium paid by the bidder or subcontractor is; and

(4) what the average percentage of monthly premium paid by the bidder's employee or subcontractor's employee was, and the average per employee deductible for each health care plan offered.

(b) The Board of Public Works shall direct any relevant agency to include in any request for construction–related, competitive sealed bids the information required under subsection (a) of this section.

(c) On or before August 1, 2020, 2021, and 2022, the Board of Public Works shall report the information collected under this section for the previous fiscal year to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article.";

and in line 10, strike "2." and substitute "3.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 716 – Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)**

AN ACT concerning

**State Government – Protection of Information – Revisions (Maryland Data Privacy Act)**

**HB0716/376384/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 716
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after "circumstances;" insert "establishing that certain provisions of law do not apply to the Office of the Attorney General or the University System of Maryland;"; and in line 23, after "changes;" insert "providing for the effective date of

certain provisions of this Act; providing for the termination of certain provisions of this Act;".

On page 2, after line 2, insert:

"BY adding to
Article – State Government
Section 10–13A–01 through 10–13A–08 to be under the new subtitle "Subtitle 13A. Protection of Information by the University System of Maryland"
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–1302(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)".

AMENDMENT NO. 2

On page 5, in line 16, after "government" insert "**, THE OFFICE OF THE ATTORNEY GENERAL, OR THE UNIVERSITY SYSTEM OF MARYLAND**".

On page 6, in line 7, after "**THE**" insert "**NIST**"; and in line 8, strike "**DEFINED IN NIST SP 800–37 REV 1**".

AMENDMENT NO. 3

On page 10, after line 30, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Government

**TITLE 13A. PROTECTION OF INFORMATION BY THE UNIVERSITY SYSTEM OF MARYLAND.**

**10–13A–01.**

**(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) "ENCRYPTION" MEANS THE PROTECTION OF DATA IN ELECTRONIC OR OPTICAL FORM, IN STORAGE OR IN TRANSIT, USING A TECHNOLOGY THAT:**

**(1) IS CERTIFIED TO MEET OR EXCEED THE LEVEL THAT HAS BEEN ADOPTED BY THE FEDERAL INFORMATION PROCESSING STANDARDS ISSUED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY; AND**

**(2) RENDERS SUCH DATA INDECIPHERABLE WITHOUT AN ASSOCIATED CRYPTOGRAPHIC KEY NECESSARY TO ENABLE DECRYPTION OF SUCH DATA.**

**(C) (1) "PERSONAL INFORMATION" MEANS AN INDIVIDUAL'S FIRST NAME OR FIRST INITIAL AND LAST NAME, PERSONAL MARK, OR UNIQUE BIOMETRIC OR GENETIC PRINT OR IMAGE, IN COMBINATION WITH ONE OR MORE OF THE FOLLOWING DATA ELEMENTS:**

**(I) A SOCIAL SECURITY NUMBER;**

**(II) A DRIVER'S LICENSE NUMBER, STATE IDENTIFICATION CARD NUMBER, OR OTHER INDIVIDUAL IDENTIFICATION NUMBER ISSUED BY THE UNIVERSITY SYSTEM OF MARYLAND;**

**(III) A PASSPORT NUMBER OR OTHER IDENTIFICATION NUMBER ISSUED BY THE UNITED STATES GOVERNMENT;**

**(IV) AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER; OR**

**(V) A FINANCIAL OR OTHER ACCOUNT NUMBER, A CREDIT CARD NUMBER, OR A DEBIT CARD NUMBER THAT, IN COMBINATION WITH ANY REQUIRED SECURITY CODE, ACCESS CODE, OR PASSWORD, WOULD PERMIT ACCESS TO AN INDIVIDUAL'S ACCOUNT.**

**(2) "PERSONAL INFORMATION" DOES NOT INCLUDE A VOTER REGISTRATION NUMBER.**

**(D) "REASONABLE SECURITY PROCEDURES AND PRACTICES" MEANS DATA SECURITY PROCEDURES AND PRACTICES DEVELOPED, IN GOOD FAITH, AND SET FORTH IN A WRITTEN INFORMATION SECURITY POLICY.**

**(E) "RECORDS" MEANS INFORMATION THAT IS INSCRIBED ON A TANGIBLE MEDIUM OR STORED IN AN ELECTRONIC OR OTHER MEDIUM AND IS RETRIEVABLE IN PERCEIVABLE FORM.**

**10–13A–02.**

**(A) THIS SUBTITLE DOES NOT APPLY TO PERSONAL INFORMATION THAT:**

**(1) IS PUBLICLY AVAILABLE INFORMATION THAT IS LAWFULLY MADE AVAILABLE TO THE GENERAL PUBLIC FROM FEDERAL, STATE, OR LOCAL GOVERNMENT RECORDS;**

**(2) AN INDIVIDUAL HAS CONSENTED TO HAVE PUBLICLY DISSEMINATED OR LISTED;**

**(3) EXCEPT FOR A MEDICAL RECORD THAT A PERSON IS PROHIBITED FROM REDISCLOSING UNDER § 4–302(D) OF THE HEALTH – GENERAL ARTICLE, IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT; OR**

**(4) IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT.**

**(B) THIS SUBTITLE DOES NOT APPLY TO THE LEGISLATIVE BRANCH OR THE JUDICIAL BRANCH OF STATE GOVERNMENT.**

**10–13A–03.**

**WHEN THE UNIVERSITY SYSTEM OF MARYLAND IS DESTROYING RECORDS OF AN INDIVIDUAL THAT CONTAIN PERSONAL INFORMATION OF THE INDIVIDUAL, THE UNIVERSITY SYSTEM OF MARYLAND SHALL TAKE REASONABLE STEPS TO PROTECT AGAINST UNAUTHORIZED ACCESS TO OR USE OF THE PERSONAL INFORMATION, TAKING INTO ACCOUNT:**

**(1) THE SENSITIVITY OF THE RECORDS;**

**(2) THE NATURE OF THE UNIVERSITY SYSTEM OF MARYLAND AND ITS OPERATIONS;**

**(3) THE COSTS AND BENEFITS OF DIFFERENT DESTRUCTION METHODS; AND**

**(4) AVAILABLE TECHNOLOGY.**

**10–13A–04.**

**(A) TO PROTECT PERSONAL INFORMATION FROM UNAUTHORIZED ACCESS, USE, MODIFICATION, OR DISCLOSURE, THE UNIVERSITY SYSTEM OF MARYLAND INSTITUTION THAT COLLECTS PERSONAL INFORMATION OF AN INDIVIDUAL SHALL IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND PRACTICES THAT ARE APPROPRIATE TO THE NATURE OF THE PERSONAL INFORMATION COLLECTED AND THE NATURE OF THE UNIVERSITY SYSTEM OF MARYLAND AND ITS OPERATIONS.**

**(B) IF THE UNIVERSITY SYSTEM OF MARYLAND USES A NONAFFILIATED THIRD PARTY AS A SERVICE PROVIDER TO PERFORM SERVICES FOR THE UNIVERSITY SYSTEM OF MARYLAND AND DISCLOSES PERSONAL INFORMATION ABOUT AN INDIVIDUAL UNDER A WRITTEN CONTRACT OR AGREEMENT WITH THE THIRD PARTY SHALL REQUIRE BY WRITTEN CONTRACT OR AGREEMENT THAT THE THIRD PARTY IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND PRACTICES THAT:**

**(1) ARE APPROPRIATE TO THE NATURE OF THE PERSONAL INFORMATION DISCLOSED TO THE NONAFFILIATED THIRD PARTY; AND**

**(2) ARE REASONABLY DESIGNED TO HELP PROTECT THE PERSONAL INFORMATION FROM UNAUTHORIZED ACCESS, USE, MODIFICATION, DISCLOSURE, OR DESTRUCTION.**

**10–13A–05.**

**(A) (1) IN THIS SECTION, "BREACH OF THE SECURITY OF A SYSTEM" MEANS THE UNAUTHORIZED ACQUISITION OF COMPUTERIZED DATA THAT COMPROMISES THE SECURITY, CONFIDENTIALITY, OR INTEGRITY OF THE PERSONAL INFORMATION MAINTAINED BY THE UNIVERSITY SYSTEM OF MARYLAND.**

**(2) "BREACH OF THE SECURITY OF A SYSTEM" DOES NOT INCLUDE THE GOOD–FAITH ACQUISITION OF PERSONAL INFORMATION BY AN EMPLOYEE OR AGENT OF THE UNIVERSITY SYSTEM OF MARYLAND FOR THE PURPOSES OF THE UNIVERSITY SYSTEM OF MARYLAND, PROVIDED THAT THE PERSONAL INFORMATION IS NOT USED OR SUBJECT TO FURTHER UNAUTHORIZED DISCLOSURE.**

**(B) (1) IF THE UNIVERSITY SYSTEM OF MARYLAND INSTITUTION THAT COLLECTS COMPUTERIZED DATA THAT INCLUDES PERSONAL INFORMATION OF AN INDIVIDUAL DISCOVERS OR IS NOTIFIED OF A BREACH OF THE SECURITY OF A SYSTEM, THE UNIVERSITY SYSTEM OF MARYLAND SHALL CONDUCT IN GOOD FAITH A REASONABLE AND PROMPT INVESTIGATION TO DETERMINE WHETHER THE UNAUTHORIZED ACQUISITION OF PERSONAL INFORMATION OF THE INDIVIDUAL HAS RESULTED IN OR IS LIKELY TO RESULT IN THE MISUSE OF THE INFORMATION.**

**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF AFTER THE INVESTIGATION IS CONCLUDED, THE UNIVERSITY SYSTEM OF MARYLAND DETERMINES THAT THE MISUSE OF THE INDIVIDUAL'S PERSONAL INFORMATION HAS OCCURRED OR IS LIKELY TO OCCUR, THE UNIVERSITY SYSTEM OF MARYLAND OR THE NONAFFILIATED THIRD PARTY, IF AUTHORIZED UNDER A WRITTEN CONTRACT OR AGREEMENT WITH THE UNIVERSITY SYSTEM OF MARYLAND, SHALL NOTIFY THE INDIVIDUAL OF THE BREACH.**

**(II) UNLESS THE UNIVERSITY SYSTEM OF MARYLAND OR THE NONAFFILIATED THIRD PARTY KNOWS THAT THE ENCRYPTION KEY HAS BEEN**

**BROKEN, THE UNIVERSITY SYSTEM OF MARYLAND OR THE NONAFFILIATED THIRD PARTY IS NOT REQUIRED TO NOTIFY AN INDIVIDUAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF:**

**1. THE PERSONAL INFORMATION OF THE INDIVIDUAL WAS SECURED BY ENCRYPTION OR REDACTED; AND**

**2. THE ENCRYPTION KEY HAS NOT BEEN COMPROMISED OR DISCLOSED.**

**(3) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE NOTIFICATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE GIVEN AS SOON AS REASONABLY PRACTICABLE AFTER THE UNIVERSITY SYSTEM OF MARYLAND CONDUCTS THE INVESTIGATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(4) IF, AFTER THE INVESTIGATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS CONCLUDED, THE UNIVERSITY SYSTEM OF MARYLAND DETERMINES THAT NOTIFICATION UNDER PARAGRAPH (2) OF THIS SUBSECTION IS NOT REQUIRED, THE UNIVERSITY SYSTEM OF MARYLAND SHALL MAINTAIN RECORDS THAT REFLECT ITS DETERMINATION FOR 3 YEARS AFTER THE DETERMINATION IS MADE.**

**(C) (1) A NONAFFILIATED THIRD PARTY THAT MAINTAINS COMPUTERIZED DATA THAT INCLUDES PERSONAL INFORMATION PROVIDED BY THE UNIVERSITY SYSTEM OF MARYLAND SHALL NOTIFY THE UNIVERSITY SYSTEM OF MARYLAND OF A BREACH OF THE SECURITY OF A SYSTEM IF THE UNAUTHORIZED ACQUISITION OF THE INDIVIDUAL'S PERSONAL INFORMATION HAS OCCURRED OR IS LIKELY TO OCCUR.**

**(2) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE GIVEN AS SOON AS REASONABLY PRACTICABLE AFTER THE NONAFFILIATED THIRD PARTY DISCOVERS OR IS NOTIFIED OF THE BREACH OF THE SECURITY OF A SYSTEM.**

**(3) A NONAFFILIATED THIRD PARTY THAT IS REQUIRED TO NOTIFY THE UNIVERSITY SYSTEM OF MARYLAND OF A BREACH OF THE SECURITY OF A SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SHARE WITH THE UNIVERSITY SYSTEM OF MARYLAND INFORMATION RELATING TO THE BREACH.**

**(D) (1) THE NOTIFICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION MAY BE DELAYED:**

**(I) IF A LAW ENFORCEMENT AGENCY DETERMINES THAT THE NOTIFICATION WILL IMPEDE A CRIMINAL INVESTIGATION OR JEOPARDIZE HOMELAND OR NATIONAL SECURITY; OR**

**(II) TO DETERMINE THE SCOPE OF THE BREACH OF THE SECURITY OF A SYSTEM, IDENTIFY THE INDIVIDUALS AFFECTED, OR RESTORE THE INTEGRITY OF THE SYSTEM.**

**(2) IF NOTIFICATION IS DELAYED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, NOTIFICATION SHALL BE GIVEN AS SOON AS REASONABLY PRACTICABLE AFTER THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE NOTIFICATION WILL NOT IMPEDE A CRIMINAL INVESTIGATION AND WILL NOT JEOPARDIZE HOMELAND OR NATIONAL SECURITY.**

**(E) THE NOTIFICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION MAY BE GIVEN:**

**(1) BY WRITTEN NOTICE SENT TO THE MOST RECENT ADDRESS OF THE INDIVIDUAL IN THE RECORDS OF THE UNIVERSITY SYSTEM OF MARYLAND;**

**(2) BY E–MAIL TO THE MOST RECENT E–MAIL ADDRESS OF THE INDIVIDUAL IN THE RECORDS OF THE UNIVERSITY SYSTEM OF MARYLAND IF:**

**(I) THE INDIVIDUAL HAS EXPRESSLY CONSENTED TO RECEIVE ELECTRONIC NOTICE; OR**

**(II) THE UNIVERSITY SYSTEM OF MARYLAND CONDUCTS ITS DUTIES PRIMARILY THROUGH INTERNET ACCOUNT TRANSACTIONS OR THE INTERNET;**

**(3) BY TELEPHONIC NOTICE, TO THE MOST RECENT TELEPHONE NUMBER OF THE INDIVIDUAL IN THE RECORDS OF THE UNIVERSITY SYSTEM OF MARYLAND; OR**

**(4) BY SUBSTITUTE NOTICE AS PROVIDED IN SUBSECTION (F) OF THIS SECTION IF:**

**(I) THE UNIVERSITY SYSTEM OF MARYLAND DEMONSTRATES THAT THE COST OF PROVIDING NOTICE WOULD EXCEED $100,000 OR THAT THE AFFECTED CLASS OF INDIVIDUALS TO BE NOTIFIED EXCEEDS 175,000; OR**

**(II) THE UNIVERSITY SYSTEM OF MARYLAND DOES NOT HAVE SUFFICIENT CONTACT INFORMATION TO GIVE NOTICE IN ACCORDANCE WITH ITEM (1), (2), OR (3) OF THIS SUBSECTION.**

**(F) SUBSTITUTE NOTICE UNDER SUBSECTION (E)(4) OF THIS SECTION SHALL CONSIST OF:**

**(1) E–MAILING THE NOTICE TO AN INDIVIDUAL ENTITLED TO NOTIFICATION UNDER SUBSECTION (B) OF THIS SECTION IF THE UNIVERSITY SYSTEM OF MARYLAND HAS AN E–MAIL ADDRESS FOR THE INDIVIDUAL TO BE NOTIFIED;**

**(2) CONSPICUOUS POSTING OF THE NOTICE ON THE WEBSITE OF THE UNIVERSITY SYSTEM OF MARYLAND IF THE UNIVERSITY SYSTEM OF MARYLAND MAINTAINS A WEBSITE; AND**

**(3) NOTIFICATION TO APPROPRIATE MEDIA.**

**(G) THE NOTIFICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:**

**(1) TO THE EXTENT POSSIBLE, A DESCRIPTION OF THE CATEGORIES OF INFORMATION THAT WERE, OR ARE REASONABLY BELIEVED TO HAVE BEEN, ACQUIRED BY AN UNAUTHORIZED PERSON, INCLUDING WHICH OF THE ELEMENTS OF PERSONAL INFORMATION WERE, OR ARE REASONABLY BELIEVED TO HAVE BEEN, ACQUIRED;**

**(2) CONTACT INFORMATION FOR THE UNIVERSITY SYSTEM OF MARYLAND INSTITUTION MAKING THE NOTIFICATION, INCLUDING THE UNIVERSITY SYSTEM OF MARYLAND INSTITUTION'S ADDRESS, TELEPHONE NUMBER, AND TOLL–FREE TELEPHONE NUMBER IF ONE IS MAINTAINED;**

**(3) THE TOLL–FREE TELEPHONE NUMBERS AND ADDRESSES FOR THE MAJOR CONSUMER REPORTING AGENCIES; AND**

**(4) (I) THE TOLL–FREE TELEPHONE NUMBERS, ADDRESSES, AND WEBSITE ADDRESSES FOR:**

**1. THE FEDERAL TRADE COMMISSION; AND**

**2. THE OFFICE OF THE ATTORNEY GENERAL; AND**

**(II) A STATEMENT THAT AN INDIVIDUAL CAN OBTAIN INFORMATION FROM THESE SOURCES ABOUT STEPS THE INDIVIDUAL CAN TAKE TO AVOID IDENTITY THEFT.**

**(H) (1) BEFORE GIVING THE NOTIFICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE UNIVERSITY SYSTEM OF MARYLAND SHALL PROVIDE NOTICE OF A BREACH OF THE SECURITY OF A SYSTEM TO THE OFFICE OF THE ATTORNEY GENERAL.**

**(2) IN ADDITION TO THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE UNIVERSITY SYSTEM OF MARYLAND SHALL PROVIDE NOTICE OF A BREACH OF SECURITY TO THE DEPARTMENT OF INFORMATION TECHNOLOGY.**

**(I) A WAIVER OF ANY PROVISION OF THIS SECTION IS CONTRARY TO PUBLIC POLICY AND IS VOID AND UNENFORCEABLE.**

**(J) COMPLIANCE WITH THIS SECTION DOES NOT RELIEVE THE UNIVERSITY SYSTEM OF MARYLAND FROM A DUTY TO COMPLY WITH ANY OTHER REQUIREMENTS OF FEDERAL LAW RELATING TO THE PROTECTION AND PRIVACY OF PERSONAL INFORMATION.**

**10–13A–06.**

**THE PROVISIONS OF THIS SUBTITLE ARE EXCLUSIVE AND SHALL PREEMPT ANY PROVISION OF LOCAL LAW.**

**10–13A–07.**

**(A) IF THE UNIVERSITY SYSTEM OF MARYLAND IS REQUIRED UNDER § 10–13A–05 OF THIS SUBTITLE TO GIVE NOTICE OF A BREACH OF THE SECURITY OF A SYSTEM TO 1,000 OR MORE INDIVIDUALS, THE UNIVERSITY SYSTEM OF MARYLAND ALSO SHALL NOTIFY, WITHOUT UNREASONABLE DELAY, EACH CONSUMER REPORTING AGENCY THAT COMPILES AND MAINTAINS FILES ON CONSUMERS ON A NATIONWIDE BASIS, AS DEFINED BY 15 U.S.C. § 1681A(P), OF THE TIMING, DISTRIBUTION, AND CONTENT OF THE NOTICES.**

**(B) THIS SECTION DOES NOT REQUIRE THE INCLUSION OF THE NAMES OR OTHER PERSONAL IDENTIFYING INFORMATION OF RECIPIENTS OF NOTICES OF THE BREACH OF THE SECURITY OF A SYSTEM.**

**10–13A–08.**

**THE UNIVERSITY SYSTEM OF MARYLAND OR A NONAFFILIATED THIRD PARTY THAT COMPLIES WITH § 501(B) OF THE FEDERAL GRAMM–LEACH–BLILEY ACT, 15 U.S.C. § 6801, § 216 OF THE FEDERAL FAIR AND ACCURATE CREDIT TRANSACTIONS ACT, 15 U.S.C. § 1681W DISPOSAL OF RECORDS, THE FEDERAL INTERAGENCY GUIDELINES ESTABLISHING INFORMATION SECURITY STANDARDS, THE FEDERAL INTERAGENCY GUIDANCE ON RESPONSE PROGRAMS FOR UNAUTHORIZED ACCESS TO CUSTOMER INFORMATION AND CUSTOMER NOTICE, AND ANY REVISIONS,**

**ADDITIONS, OR SUBSTITUTIONS OF THOSE ENACTMENTS, SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS SUBTITLE.**

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Government

10–1302.

(c) This subtitle does not apply to the Legislative or Judicial Branch of State **[**Government,**]** **GOVERNMENT OR** the Office of the Attorney General**[**, or the University System of Maryland**]**.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2019. It shall remain effective for a period of 1 year and 9 months and, at the end of June 30, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2021.";

in line 31, strike "2." and substitute "6."; and in the same line, after "That" insert ", except as provided in Sections 4 and 5 of this Act,".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 754 – Delegate Kipke**

AN ACT concerning

**Health Insurance and Pharmacy Benefits Managers – Cost Pricing and Reimbursement**

**HB0754/276784/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 754
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; in the sponsor line, strike "Delegate Kipke" and substitute "Delegates Kipke, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Sample–Hughes, Szeliga, and K. Young"; strike beginning with "authorizing" in line 4 down through "cost;" in line 7 and substitute "providing that certain provisions of this Act apply in a certain manner to contracts between pharmacy benefits managers that contract with managed care organizations; prohibiting a certain contract or amendment to a certain contract from becoming effective except under certain circumstances; clarifying that certain provisions of law apply to certain appeals; providing that a certain process required to be included in certain contracts must include a requirement that a pharmacy benefits manager provide a certain mathematical calculation; requiring the Commissioner to take certain actions if a designee of the contracted pharmacy files a complaint; requiring a pharmacy benefits manager to provide certain information to the Commissioner for a certain purpose under certain circumstances;"; in line 10, strike ", rather than only maximum allowable cost pricing"; in line 12, strike "a certain formulary under certain circumstances" and substitute "certain information"; in line 14, after "loss;" insert "prohibiting pharmacy benefits managers and certain purchasers from directly or indirectly charging a contracted pharmacy, or holding a contracted pharmacy responsible for, fees or reimbursements related to the adjudication of certain claims; providing that certain actions are a violation of certain provisions of law;"; in line 15, strike "a certain term" and substitute "certain terms; making conforming and technical changes; making this Act an emergency measure"; after line 16, insert:

"BY adding to
Article – Health – General
Section 15–102.3(g)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1601(a)

Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)";

in line 19, strike "15–1012 and 15–1628.2" and substitute "15–1601(c–1), (c–2), and (h–1), 15–1628.2, and 15–1628.3"; and strike in their entirety lines 22 through 26, inclusive.

On page 2, in line 1, strike "15–1631" and substitute "15–1628, 15–1628.1, 15–1631, and 15–1642".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"Article – Health–General

15–102.3.

**(G) THE PROVISIONS OF § 15–1628.3 OF THE INSURANCE ARTICLE APPLY TO PHARMACY BENEFITS MANAGERS THAT CONTRACT WITH MANAGED CARE ORGANIZATIONS IN THE SAME MANNER AS THEY APPLY TO A PHARMACY BENEFITS MANAGERS THAT CONTRACT WITH CARRIERS.**";

strike in their entirety lines 7 through 28, inclusive, and substitute:

"15–1601.

(a) In this subtitle the following words have the meanings indicated.

**(C–1) "COMPENSATION PROGRAM" MEANS A PROGRAM, POLICY, OR PROCESS THROUGH WHICH SOURCES AND PRICING INFORMATION ARE USED BY A PHARMACY BENEFITS MANAGER TO DETERMINE THE TERMS OF PAYMENT AS STATED IN A PARTICIPATING PHARMACY CONTRACT.**

**(C–2) "CONTRACTED PHARMACY" MEANS A PHARMACY THAT PARTICIPATES IN THE NETWORK OF A PHARMACY BENEFITS MANAGER THROUGH A CONTRACT WITH:**

**(I) THE PHARMACY BENEFITS MANAGER; OR**

**(II) A PHARMACY SERVICES ADMINISTRATION ORGANIZATION OR A GROUP PURCHASING ORGANIZATION.**

**(H–1) "PARTICIPATING PHARMACY CONTRACT" MEANS A CONTRACT FILED WITH THE COMMISSIONER IN ACCORDANCE WITH § 15–1628(B) OF THIS SUBTITLE.**

15–1628.

**(A)** At the time of entering into a contract with a pharmacy or a pharmacist, and at least 30 working days before any contract change, a pharmacy benefits manager shall disclose to the pharmacy or pharmacist:

(1) the applicable terms, conditions, and reimbursement rates;

(2) the process and procedures for verifying pharmacy benefits and beneficiary eligibility;

(3) the dispute resolution and audit appeals process; and

(4) the process and procedures for verifying the prescription drugs included on the formularies used by the pharmacy benefits manager.

**(B) (1) A CONTRACT OR AN AMENDMENT TO A CONTRACT BETWEEN A PHARMACY BENEFITS MANAGER, A PHARMACY SERVICES ADMINISTRATION ORGANIZATION, OR A GROUP PURCHASING ORGANIZATION AND A PHARMACY MAY NOT BECOME EFFECTIVE UNLESS:**

**(I) AT LEAST 30 DAYS BEFORE THE CONTRACT OR AMENDMENT IS TO BECOME EFFECTIVE, THE PHARMACY BENEFITS MANAGER, PHARMACY SERVICES ADMINISTRATION ORGANIZATION, OR GROUP PURCHASING ORGANIZATION FILES THE CONTRACT OR AMENDMENT WITH THE COMMISSIONER IN THE FORM REQUIRED BY THE COMMISSIONER; AND**

**(II) THE COMMISSIONER DOES NOT DISAPPROVE THE FILING WITHIN 30 DAYS AFTER THE CONTRACT OR AMENDMENT IS FILED.**

**(2) THE COMMISSIONER SHALL ADOPT REGULATIONS TO ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE COMMISSIONER MAY DISAPPROVE A CONTRACT.**";

after line 29, insert:

"(a) (1) In this section the following words have the meanings indicated.

**[**(2) "Contracted pharmacy" means a pharmacy that participates in the network of a pharmacy benefits manager through a contract with:

(i) the pharmacy benefits manager; or

(ii) a pharmacy services administration organization or a group purchasing organization.**]**

**[**(3)**] (2)** "Drug shortage list" means a list of drug products listed on the federal Food and Drug Administration's Drug Shortages website.

**[**(4)**] (3)** (i) "Maximum allowable cost" means the maximum amount that a pharmacy benefits manager or a purchaser will reimburse a contracted pharmacy for the cost of a multisource generic drug, a medical product, or a device.

(ii) "Maximum allowable cost" does not include dispensing fees.

**[**(5)**] (4)** "Maximum allowable cost list" means a list of multisource generic drugs, medical products, and devices for which a maximum allowable cost has been established by a pharmacy benefits manager or a purchaser.

(b) In each **PARTICIPATING PHARMACY** contract **[**between a pharmacy benefits manager and a contracted pharmacy**]**, the pharmacy benefits manager shall include the sources used to determine maximum allowable cost pricing.

(c) A pharmacy benefits manager shall:

(1) update its pricing information at least every 7 days;

(2) establish a reasonable process by which a contracted pharmacy has access to the current and applicable maximum allowable cost price lists in an electronic format as updated in accordance with the requirements of this section; and

(3) immediately after a pricing information update under item (1) of this subsection, use the updated pricing information in calculating the payments made to all contracted pharmacies.

(d) (1) A pharmacy benefits manager shall maintain a procedure to eliminate products from the list of drugs subject to maximum allowable cost pricing as necessary to:

(i) remain consistent with pricing changes;

(ii) remove from the list drugs that no longer meet the requirements of subsection (e) of this section; and

(iii) reflect the current availability of drugs in the marketplace.

(2) A product on the maximum allowable cost list shall be eliminated from the list by the pharmacy benefits manager within 7 days after the pharmacy benefits manager knows of a change in the availability of the product.

(e) Before placing a prescription drug on a maximum allowable cost list, a pharmacy benefits manager shall ensure that:

(1) the drug is listed as "A" or "B" rated in the most recent version of the U.S. Food and Drug Administration's approved drug products with therapeutic equivalence evaluations, also known as the Orange Book, or has an "NR" or "NA" rating or similar rating by a nationally recognized reference;

(2) (i) if a drug is manufactured by more than one manufacturer, the drug is generally available for purchase by contracted pharmacies, including contracted retail pharmacies, in the State from a wholesale distributor with a permit in the State; or

(ii) if a drug is manufactured by only one manufacturer, the drug is generally available for purchase by contracted pharmacies, including contracted retail pharmacies, in the State from at least two wholesale distributors with a permit in the State; and

(3) the drug is not obsolete, temporarily unavailable, or listed on a drug shortage list as currently in shortage.";

in line 30, strike the bracket; in the same line, strike "Each" and substitute "**FOR DISPUTES REGARDING MAXIMUM ALLOWABLE COST PRICING, EACH PARTICIPATING PHARMACY**"; and strike beginning with "between" in line 30 down through "pharmacy" in line 31.

AMENDMENT NO. 3

On page 3, in line 19, strike "and"; and after line 23, insert:

"**(III) THE MATHEMATICAL CALCULATION USED TO DETERMINE THE MAXIMUM ALLOWABLE COST; AND**".

On page 4, in line 20, after "pharmacy" insert "**OR A DESIGNEE OF THE CONTRACTED PHARMACY**"; in line 23, after the third "the" insert "**PARTICIPATING PHARMACY**"; after line 28, insert:

"**(2) ON REQUEST, THE PHARMACY BENEFITS MANAGER SHALL PROVIDE TO THE COMMISSIONER ON REQUEST ALL MATHEMATICAL CALCULATIONS, ACCOUNTS, RECORDS, DOCUMENTS, FILES, LOGS, CORRESPONDENCE, OR OTHER INFORMATION NECESSARY TO COMPLETE THE COMMISSIONER'S REVIEW UNDER PARAGRAPH (1) OF THIS SUBSECTION.**";

in line 29, strike "(2)" and substitute "**(3)**"; in the same line, strike "pricing"; in line 30, strike "required by paragraph (1) of this subsection"; and in line 32, strike the bracket.

On page 5, strike in their entirety lines 1 through 6, inclusive; in line 7, strike "**(B)**" and substitute "**(A)**"; in the same line, strike "**EACH**" and substitute "**FOR DISPUTES REGARDING COST PRICING AND REIMBURSEMENT UNDER A PARTICIPATING PHARMACY CONTRACT, EACH PARTICIPATING PHARMACY**"; strike beginning with "**BETWEEN**" in line 7 down through "**PHARMACY**" in line 8; strike beginning with the first "**THE**" in line 12 down through "**CLAIM**" in line 13 and substitute "**:**

**(I) THE DATE A DIRECT OR INDIRECT REMUNERATION FEE IS CHARGED; OR**

**(II) ANOTHER DATE AS DETERMINED BY THE COMMISSIONER**";

strike in their entirety lines 14 through 17, inclusive; and in line 18, strike "**(3)**" and substitute "**(2)**".

AMENDMENT NO. 4

On page 6, in lines 1 and 12, strike "**(4)**" and "**(5)**", respectively, and substitute "**(3)**" and "**(4)**", respectively; strike in their entirety lines 4 through 7, inclusive; in line 8, strike "**2.**" and substitute "**(II)**"; strike beginning with "**IF**" in line 8 down through "**PHARMACIST,**" in line 10; in line 10, strike "**FORMULARY**" and substitute "**MATHEMATICAL CALCULATION**"; strike in their entirety lines 14 through 29, inclusive, and substitute:

"**(I) MAKE ADJUSTMENTS AS NECESSARY TO COMPLY WITH THE COMPENSATION PROGRAM AS STATED IN THE PARTICIPATING PHARMACY CONTRACT AS OF THE DATE THE APPEAL WAS DETERMINED; AND**";

in line 30, strike "**2.**" and substitute "**(II)**"; and in line 31, strike the colon.

On page 7, in line 1, strike "**A.**"; strike beginning with the semicolon in line 1 down through "**CLAIM**" in line 4; strike beginning with "**CARRYING**" in line 10 down through "**OR**" in line 11; in line 14, after "**PHARMACY**" insert "**OR A DESIGNEE OF THE CONTRACTED PHARMACY**"; in line 19, after the second "**THE**" insert "**PARTICIPATING PHARMACY**"; after line 23, insert:

"**(2) ON REQUEST, THE PHARMACY BENEFITS MANAGER SHALL PROVIDE TO THE COMMISSIONER ON REQUEST ALL MATHEMATICAL CALCULATIONS, ACCOUNTS, RECORDS, DOCUMENTS, FILES, LOGS, CORRESPONDENCE, OR OTHER INFORMATION NECESSARY TO COMPLETE THE COMMISSIONER'S REVIEW.**";

in line 24, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**PRICING**"; and strike beginning with "**REQUIRED**" in line 25 down through "**SUBSECTION**" in line 26.

AMENDMENT NO. 5

On page 7, after line 30, insert:

"**15–1628.3.**

**A PHARMACY BENEFITS MANAGER OR A PURCHASER MAY NOT DIRECTLY OR INDIRECTLY CHARGE A CONTRACTED PHARMACY, OR HOLD A CONTRACTED PHARMACY RESPONSIBLE FOR, A FEE OR PERFORMANCE–BASED REIMBURSEMENT RELATED TO THE ADJUDICATION OF A CLAIM OR AN INCENTIVE PROGRAM THAT IS NOT:**

**(1) SPECIFICALLY ENUMERATED BY THE PHARMACY BENEFITS MANAGER OR PURCHASER AT THE TIME OF CLAIM PROCESSING; OR**

**(2) REPORTED ON THE INITIAL REMITTANCE ADVICE OF AN ADJUDICATED CLAIM.**".

On page 8, after line 12, insert:

"15–1642.

**(A) IT IS A VIOLATION OF THIS SUBTITLE FOR A PHARMACY BENEFITS MANAGER TO:**

**(1) MISREPRESENT PERTINENT FACTS OR POLICY PROVISIONS THAT RELATE TO A CLAIM OR THE COMPENSATION PROGRAM AT ISSUE IN A COMPLAINT OR AN APPEAL OF A DECISION REGARDING A COMPLAINT;**

**(2) REFUSE TO PAY A CLAIM FOR AN ARBITRARY OR CAPRICIOUS REASON BASED ON ALL AVAILABLE INFORMATION;**

**(3) FAIL TO SETTLE A CLAIM OR DISPUTE PROMPTLY WHENEVER LIABILITY IS REASONABLY CLEAR UNDER ONE PART OF A POLICY OR CONTRACT, IN ORDER TO INFLUENCE SETTLEMENTS UNDER OTHER PARTS OF THE POLICY OR CONTRACT; OR**

**(4) FAIL TO ACT IN GOOD FAITH.**

**(B) IT IS A VIOLATION OF THIS SUBTITLE FOR A PHARMACY BENEFITS MANAGER, WHEN COMMITTED AT A FREQUENCY TO INDICATE A GENERAL BUSINESS PRACTICE, TO:**

**(1) MISREPRESENT PERTINENT FACTS OR POLICY PROVISIONS THAT RELATE TO A CLAIM, THE COMPENSATION PROGRAM, OR THE COVERAGE AT ISSUE IN A COMPLAINT OR AN APPEAL OF A DECISION REGARDING A COMPLAINT;**

**(2) FAIL TO MAKE A PROMPT, FAIR, AND EQUITABLE GOOD–FAITH ATTEMPT TO SETTLE CLAIMS FOR WHICH LIABILITY HAS BECOME REASONABLY CLEAR;**

**(3) FAIL TO SETTLE A CLAIM PROMPTLY WHENEVER LIABILITY IS REASONABLY CLEAR UNDER ONE PART OF A POLICY OR CONTRACT, IN ORDER TO INFLUENCE SETTLEMENTS UNDER OTHER PARTS OF THE POLICY OR CONTRACT; OR**

**(4) REFUSE TO PAY A CLAIM FOR AN ARBITRARY OR CAPRICIOUS REASON BASED ON ALL AVAILABLE INFORMATION.**

**[**(a)**] (C)** If the Commissioner determines that a pharmacy benefits manager has violated any provision of this subtitle or any regulation adopted under this subtitle, the Commissioner may issue an order that requires the pharmacy benefits manager to:

(1) cease and desist from the identified violation and further similar violations;

(2) take specific affirmative action to correct the violation;

(3) make restitution of money, property, or other assets to a person that has suffered financial injury because of the violation; or

(4) pay a fine in an amount determined by the Commissioner.

**[**(b)**] (D)** (1) An order of the Commissioner issued under this section may be served on a pharmacy benefits manager that is registered under Part II of this subtitle in the manner provided in § 2–204 of this article.

(2) An order of the Commissioner issued under this section may be served on a pharmacy benefits manager that is not registered under Part II of this subtitle in the manner provided in § 4–206 or § 4–207 of this article for service on an unauthorized insurer that does an act of insurance business in the State.

(3) A request for a hearing on any order issued under this section does not stay that portion of the order that requires the pharmacy benefits manager to cease and desist from conduct identified in the order.

(4) The Commissioner may file a petition in the circuit court of any county to enforce an order issued under this section, whether or not a hearing has been requested or, if requested, whether or not a hearing has been held.

(5) If the Commissioner prevails in an action brought under this section, the Commissioner may recover, for the use of the State, reasonable attorney's fees and the costs of the action.

**[**(c)**] (E)** In addition to any other enforcement action taken by the Commissioner under this section, the Commissioner may impose a civil penalty not exceeding $10,000 for each violation of this subtitle.

**[**(d)**] (F)** The Commissioner may adopt regulations:

(1) to carry out this subtitle; and

(2) to establish a complaint process to address grievances and appeals brought in accordance with this subtitle.

**[**(e)**] (G)** This section does not limit any other regulatory authority of the Commissioner under this article.";

and strike in their entirety lines 13 and 14 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 849 – Delegates R. Lewis and Pena–Melnyk**

AN ACT concerning

**Health Facilities – Hospitals – Disclosure of Outpatient Facility Fees (Facility Fee Right–to–Know Act)**

**HB0849/946286/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 849
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Pena–Melnyk" and substitute ", Pena–Melnyk, Pendergrass, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Metzgar, Morgan, Rosenberg, Sample–Hughes, Szeliga, and K. Young"; in line 7, after "times;" insert "requiring the Health Education and Advocacy Unit within the Attorney General's Office to develop a certain form and determine a certain range of fees and fee estimates; requiring each hospital that charges an outpatient facility fee to use a certain form and a certain range of fees and fee estimates for a certain purpose;"; strike beginning with "prohibiting" in line 12 down through "circumstances;" in line 13; and in line 13, before "defining" insert "requiring the Unit, in consultation with the Health Care Services Cost Review Commission, consumers, and other stakeholders, to develop a certain uniform disclosure form and a process for determining and updating certain information on or before a certain date;".

AMENDMENT NO. 2

On page 3, in line 3, strike "**THAT**" and substitute "**WHETHER**"; after line 4, insert:

"**(IV) THAT THE PATIENT SHOULD CONTACT THE PATIENT'S INSURANCE CARRIER, IF ANY, TO DETERMINE THE NETWORK STATUS OF THE**

**LOCATION THAT IS NOT AT THE HOSPITAL AT WHICH THE SAME PROFESSIONAL MEDICAL SERVICES CAN BE OBTAINED FROM THE PROVIDER;**";

in line 5, strike "**(IV)**" and substitute "**(V)**"; in line 7, strike "**AND**"; after line 7, insert:

"**(VI) THAT THE PATIENT SHOULD CONTACT THE PATIENT'S INSURANCE CARRIER, IF ANY, TO DETERMINE THE PATIENT'S INSURANCE COVERAGE AND FINANCIAL RESPONSIBILITY, INCLUDING CO–PAYMENTS, COINSURANCE, OR DEDUCTIBLE AMOUNTS FOR THE OUTPATIENT FACILITY FEE; AND**";

in line 8, strike "**(V)**" and substitute "**(VII) BEGINNING JULY 1, 2020:**

**1.**";

in line 10, after "**APPOINTMENT**" insert "**;**

**2. THAT AN ESTIMATE IS BASED ON TYPICAL OR AVERAGE FACILITY FEES FOR THE SAME OR SIMILAR APPOINTMENTS; AND**

**3. THAT A FEE RANGE IS PROVIDED BECAUSE THE ACTUAL AMOUNT OF THE FACILITY FEE INCURRED WILL DEPEND ON THE SERVICES ACTUALLY PROVIDED**";

and in line 11, after "**(2)**" insert "**(I) THE HEALTH EDUCATION AND ADVOCACY UNIT IN THE ATTORNEY GENERAL'S OFFICE, SHALL:**

**1. DEVELOP A UNIFORM DISCLOSURE FORM TO NOTIFY PATIENTS OF OUTPATIENT FACILITY FEES; AND**

**2. DETERMINE THE RANGE OF FEES AND FEE ESTIMATES TO BE PROVIDED UNDER PARAGRAPH (1)(VII) OF THIS SUBSECTION.**

**(II) TO COMPLY WITH PARAGRAPH (1) OF THIS SUBSECTION, EACH HOSPITAL THAT CHARGES AN OUTPATIENT FACILITY FEE SHALL:**

**1. USE THE UNIFORM DISCLOSURE FORM DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND**

**2. USE THE RANGE OF FEES AND FEE ESTIMATES DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

**(III)**";

On page 4, in line 3, strike "**(1)**"; strike in their entirety lines 6 through 8, inclusive; after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Health Education and Advocacy Unit within the Attorney General's Office, in consultation with the Health Care Services Cost Review Commission, consumers, and other stakeholders, shall develop:

(1) the uniform disclosure form required under § 19–349.2(b)(2) of the Health – General Article, as enacted by Section 1 of this Act; and

(2) a process for determining and updating the range of fees and fee estimates to be used under § 19–349.2(b)(2) of the Health – General Article, as enacted by Section 1 of this Act.";

and in line 9, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1262** – **Delegate Hill**

AN ACT concerning

**Human Relations – Employment Discrimination and Discriminatory Housing Practices – Revisions**

**HB1262/116082/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1262
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Revisions" and substitute "Time to File Complaint"; strike beginning with "altering" in line 4 down through "employment;" in line 6; in line 8, after "Rights;" insert "altering the date that begins the time period within which certain complaints must be filed;"; in line 12, strike "20–601(a) and"; in line 17, strike "20–601(d),"; and in the same line, strike the second comma.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 10 on page 2, inclusive.

On page 2, in line 22, strike "A" and substitute "**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, A**"; in line 22, strike the brackets; in the same line, strike "**18**"; after line 23, insert:

"**(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, A COMPLAINT ALLEGING AN UNLAWFUL EMPLOYMENT PRACTICE SHALL BE FILED WITHIN 300 DAYS AFTER THE DATE ON WHICH THE ALLEGED DISCRIMINATORY ACT OCCURRED.**

**(III) A COMPLAINT ALLEGING AN UNLAWFUL DISCRIMINATORY COMPENSATION PRACTICE UNDER § 20–607 OF THIS TITLE SHALL BE FILED WITHIN 300 DAYS AFTER THE DATE ON WHICH THE PERSON CLAIMING TO BE AGGRIEVED FIRST KNEW OR SHOULD HAVE KNOWN THAT THE ALLEGED DISCRIMINATORY ACT OCCURRED.**";

and in line 25, strike "**18** months after the date on which the alleged discriminatory act occurred" and substitute "**THE APPLICABLE TIME PERIOD STATED UNDER PARAGRAPH (1) OF THIS SUBSECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1284 – Delegate Luedtke**

AN ACT concerning

**Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave**

**HB1284/496689/1**
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1284
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "based" insert "solely"; and in line 6, after "insurance;" insert "providing that, with respect to all other medical conditions, a certain applicant or individual is subject to certain standards as an applicant or individual who is not an organ donor;".

AMENDMENT NO. 2

On page 2, in line 16, after "**BASED**" insert "**SOLELY**"; after line 25, insert:

"**(3) WITH RESPECT TO ALL OTHER MEDICAL CONDITIONS, AN APPLICANT OR INDIVIDUAL WHO IS AN ORGAN DONOR SHALL BE SUBJECT TO THE SAME STANDARDS OF SOUND ACTUARIAL PRINCIPLES OR ACTUAL OR REASONABLY ANTICIPATED EXPERIENCE AS AN APPLICANT OR INDIVIDUAL WHO IS NOT AN ORGAN DONOR.**";

and in line 26, strike "**(3)**" and substitute "**(4)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1288 – Delegate Barron**

AN ACT concerning

**Physicians – Dispensing Permit Exemption – Prepackaged Topical**

**HB1288/256486/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1288
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Prepackaged"; in the same line, after "Topical" insert "Medication"; in line 3, after "a" insert "certain"; in line 4, strike "personally"; in the same line, strike "prepackaged" and substitute "certain"; in the same line, after "topical" insert "medication"; strike beginning with "establishing" in line 4 down through "permit;" in line 5 and substitute "authorizing a physician to dispense a certain topical medication if the physician meets certain requirements; authorizing the State Board of Physicians to issue a certain written permit to certain physicians under certain circumstances;"; in line 6, strike "prepackaged topical" and substitute "topical medication"; after line 6, insert:

"BY adding to
Article – Health Occupations
Section 12–102(c)(2)(iii) and 14–509
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)";

in line 9, strike "12–102(c)(2)(ii)1.C. and (k) through (m)" and substitute "12–102(c)(2)(iii) and (iv)"; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 22 and 23.

On page 2, strike in their entirety lines 1 through 5, inclusive; after line 5, insert:

"**(III) A LICENSED PHYSICIAN WHO COMPLIES WITH THE REQUIREMENTS OF ITEM (II) OF THIS PARAGRAPH FROM DISPENSING A TOPICAL MEDICATION IN ACCORDANCE WITH THE REQUIREMENTS OF § 14–509 OF THIS TITLE THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS;**

**[**(iii)**] (IV)** A licensed physician who complies with the requirements of item (ii) of this paragraph from personally preparing and dispensing a prescription written by:

1. A physician assistant in accordance with a delegation agreement that complies with Title 15, Subtitle 3 of this article; or

2. A nurse practitioner who is authorized to practice under Title 8, Subtitle 3 of this article and is working with the physician in the same office setting; or

**[**(iv)**] (V)** A hospital–based clinic from dispensing prescriptions to its patients.

**14–509.**";

in line 6, strike "**(K) (1)**" and substitute "**(A)**"; strike beginning with "**SUBSECTION**" in line 6 down through the period in line 11 and substitute "**SECTION, "ACCME" MEANS THE ACCREDITING COUNCIL FOR CONTINUING MEDICAL EDUCATION.**

**(B) A PHYSICIAN MAY DISPENSE A TOPICAL MEDICATION THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS IF THE PHYSICIAN:**

**(1) COMPLIES WITH THE REQUIREMENTS OF § 12–102(C)(2)(II) OF THIS ARTICLE; AND**

**(2) HAS RECEIVED A SPECIAL CLASS OF WRITTEN PERMIT FROM THE BOARD.**

**(C) THE BOARD MAY ISSUE A SPECIAL CLASS OF WRITTEN PERMIT TO A PHYSICIAN UNDER SUBSECTION (B) OF THIS SECTION IF THE PHYSICIAN:**

**(1) COMPLETES 1 HOUR OF CONTINUING MEDICAL EDUCATION PER YEAR ON THE DISPENSING OF TOPICAL MEDICATIONS DEVELOPED BY AN ACCME–ACCREDITED MARYLAND NONPROFIT OR GOVERNMENTAL ENTITY; AND**

**(2) PAYS TO THE BOARD A $100 PERMIT FEE.**";

and strike in their entirety the lines 12 through 28, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 13

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

**House Bill 1400 – Delegate Cardin**

AN ACT concerning

**Public Health – Death Certificates – Completion and Cause of Death Report**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 14

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

**House Bill 1279 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Procurement – Source Selection**

**MC/PG 112–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 14

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 381 – Delegate Long**

AN ACT concerning

**Baltimore County Public Schools – Student Misconduct – Penalty for Parent or Guardian**

**HB0381/285763/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 381
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Long" and substitute "Baltimore County Delegation"; in lines 2 and 3, strike "Public Schools – Student Misconduct – Penalty for Parent or Guardian" and substitute "Anti–Bullying Task Force – Alterations"; in line 4, strike "prohibiting a certain student from violating" and substitute "requiring"; in line 5, strike "Board of Education's" and substitute "Anti–Bullying Task Force to develop certain recommendations for a policy for interacting with parents and guardians of certain students in violation of the Baltimore County Public Schools'"; strike beginning with "by" in line 5 down through "terms" in line 11; in lines 11 and 12, strike "a penalty for the parent or guardian for student misconduct and" and substitute "the"; in line 12, strike "public schools" and substitute "Anti–Bullying Task Force"; and strike in their entirety lines 13 through 17, inclusive, and substitute:

"BY repealing and reenacting, without amendments,
Chapter 496 of the Acts of the General Assembly of 2018
Section 1(a) and (g)

BY repealing and reenacting, with amendments,
Chapter 496 of the Acts of the General Assembly of 2018
Section 1(f)".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 20 on page 1 through line 2 on page 3, inclusive, and substitute:

"Chapter 496 of the Acts of 2018

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Baltimore County Anti–Bullying Task Force.

(f) The Task Force shall:

(1) for the 2018–2019 school year, to the extent consistent with State and federal law, compile data on the number of incidents of bullying, cyberbullying, harassment, and intimidation in each public school in Baltimore County and the disposition of each incident;

(2) for the 2019–2020 school year, to the extent consistent with State and federal law, compile data on the number of incidents of bullying, cyberbullying, harassment, and intimidation in each public school in Baltimore County and the disposition of each incident;

(3) study current disciplinary actions for students found responsible for violations of the Baltimore County Public Schools' bullying policy;

(4) study the range of possible disciplinary actions for students found responsible for violations of the Baltimore County Public Schools' bullying policy; and

(5) make recommendations regarding:

(i) whether Baltimore County Public Schools should prescribe a countywide disciplinary action for violations of the Baltimore County Public Schools' bullying policy;

(ii) whether community service should be prescribed as a possible disciplinary action for students found responsible for violations of the Baltimore County Public Schools' bullying policy;

(iii) anti–bullying strategies and anti–bullying programming, including the development of a countywide anti–bullying campaign;

(iv) options for victims of bullying who feel that their safety is threatened if they continue to attend their current school;

(v) a procedure for providing immediate notification, consistent with State and federal law, to the parent of a victim of bullying or harassment and the parent of a perpetrator of an act of bullying or harassment in Baltimore County Public Schools;

(vi) a procedure for reporting to the parent of a victim of bullying the actions taken to protect the victim in Baltimore County Public Schools;

**(VII) A POLICY FOR INTERACTING WITH PARENTS AND GUARDIANS OF STUDENTS FOUND RESPONSIBLE FOR REPEATED VIOLATIONS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS' BULLYING, CYBERBULLYING, HARASSMENT, OR INTIMIDATION POLICY;**

**[**(vii)**] (VIII)** a process for anonymous reporting by students to protect students from retaliation;

**[**(viii)**] (IX)** resources that Baltimore County Public Schools should make available to students who have been the target of bullying and to parents of those students;

**[**(ix)**] (X)** electronic learning as an option for students found responsible for violations of the Baltimore County Public Schools' bullying policy and whose presence in school would be disruptive; and

**[**(x)**] (XI)** any other findings of the Task Force.

(g) (1) On or before July 1, 2019, the Task Force shall submit a preliminary report of its findings on the matters listed in subsection (f)(1) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the members of the Baltimore County delegation to the General Assembly.

(2) On or before December 1, 2020, the Task Force shall submit a final report of its findings and recommendations on the matters listed in subsection (f)(2) through (5) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the members of the Baltimore County delegation to the General Assembly.

(3) The Task Force additionally shall submit the reports required under paragraphs (1) and (2) of this subsection to the following local entities:

(i) the Baltimore County Executive;

(ii) the Baltimore County Council;

(iii) the Baltimore County Superintendent of Schools;

(iv) the Baltimore County Board of Education;

(v) the Teachers Association of Baltimore County; and

(vi) the PTA Council of Baltimore County.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1229 – Delegates Cain, Washington, Guyton, Patterson, Smith, and Wilkins**

AN ACT concerning

**Restorative Schools Fund and Grants – Establishment**

**HB1229/815366/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1229
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 7 down through "submission;" in line 8; and in line 10, after "Department" insert ", under certain circumstances,".

AMENDMENT NO. 2

On page 2, in line 26, strike "**(1)**"; in lines 27, 29, and 30, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively.

On page 3, strike in their entirety lines 1 through 3, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 11 on page 4 through line 8 on page 5, inclusive.

On page 5, in line 9, strike "**(3)**" and substitute "**(2)**"; and in the same line, strike "**THE**" and substitute "**IF THE GOVERNOR MAKES AN APPROPRIATION IN THE ANNUAL STATE BUDGET TO THE FUND, THE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1350 – Delegates Clark, Barve, Healey, Luedtke, and Stein**

AN ACT concerning

**Property Tax Assessments – Conservation Property – Alteration of Definition**

**HB1350/545961/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1350
(First Reading File Bill)

On page 2, in line 4, after the second "**EASEMENT**" insert "**THAT IS SOLD OR DONATED**"; in line 5, strike "**SOLD**"; in line 7, strike "**DONATED**"; in the same line, after "**TRUST;**" insert:

"**(3) TO A LAND TRUST AS DEFINED IN § 3–2A–01 OF THE NATURAL RESOURCES ARTICLE;**";

in line 8, strike "**(3)**" and substitute "**(4)**"; in the same line, strike "**SOLD OR DONATED**"; and in the same line, strike "**OR PRIVATE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 15

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 227 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Ethics – Limitations on Applicant Campaign Contributions**

**PG 404–19**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 14

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 645 – Delegates Lisanti, Chang, Fennell, Jackson, Johnson, Krebs, Krimm, Rose, Shoemaker, and P. Young**

AN ACT concerning

**Local Pension Systems – Special Disability Retirement Allowance**

**HB0645/994065/1**
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 645
(Bill as Printed for Third Reading)

On page 1, in the sponsor line, after "Delegates" insert "Jackson,"; and in the same line, strike "Jackson,".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 28**

**House Bill 727 – Delegates Dumais, Solomon, Branch, Chang, Glenn, Hill, Jackson, Korman, Krimm, J. Lewis, Patterson, and P. Young**

AN ACT concerning

**Public School Construction – Maryland Stadium Authority – Supplemental Funds**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 32**

**House Bill 1348 – Delegates Haynes, Chang, Corderman, Jackson, and McKay**

AN ACT concerning

**Public Safety – Youth Crime Prevention and Diversion Parole Fund – Establishment**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1348/103425/4**
BY: Delegate Washington

AMENDMENT TO HOUSE BILL 1348
(First Reading File Bill)

On page 2, in line 31, strike "**POLICE HIGH–CRIME AREAS**" and substitute "**ADMINISTER:**

**(1) A DIVERSION PROGRAM UNDER § 3–8A–10(M)(2) OF THE COURTS ARTICLE; OR**

**(2) A YOUTH ENGAGEMENT PROGRAM OR EVENT IN A HIGH–CRIME AREA**".

On page 3, in line 16, strike "**TO POLICE HIGH–CRIME AREAS**" and substitute "**FOR THE PURPOSES ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 13**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 130 – Delegates R. Lewis, Anderson, Boyce, Bridges, Conaway, Glenn, Lierman, Mosby, Smith, and Wells**

AN ACT concerning

**Maryland Transit Administration – Workgroup to Study Dedicated Bus Lanes in Baltimore City**

**HB0130/170911/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 130
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Workgroup to" and substitute "and Baltimore City Department of Transportation – "; in the same line, after "Study" insert "of"; in lines 2 and 3, strike "in Baltimore City"; strike beginning with "establishing" in line 4 down through "expenses;" in line 7; in line 7, strike "Workgroup" and substitute "Maryland Transit Administration and the Baltimore City Department of Transportation"; in line 13, after "Administration" insert "and the Department"; in the same line, strike "its" and substitute "their"; and strike beginning with "the" in line 15 down through "Lanes" in line 16 and substitute "the study of dedicated bus lanes".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "There" in line 19 on page 1 down through "Workgroup" in line 15 on page 2 and substitute "The Maryland Transit Administration, jointly with the Baltimore City Department of Transportation,".

AMENDMENT NO. 3

On page 2, in lines 20 and 28, strike "(g)" and "(h)", respectively, and substitute "(b)" and "(c)", respectively; in line 20, strike "(f)(1)" and substitute "(a)(1)"; in line 28, strike "Workgroup" and substitute "Maryland Transit Administration and the Baltimore City Department of Transportation"; and in the same line, strike "its" and substitute "their".

The preceding 3 amendments were read only.

Delegate Fraser–Hidalgo moved to make the Bill and Amendments a Special Order for the end of this Calendar.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 187 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Speed Monitoring Systems – Maryland Route 210 (Indian Head Highway)**

**PG 305–19**

**HB0187/960513/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 187
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "number and"; strike beginning with "authorizing" in line 7 down through "intersection" in line 8 and substitute "increasing the number of speed monitoring systems that may be placed"; and in line 9, after "County;" insert "requiring the State Highway Administration, in conjunction with the Prince George's County Department of Public Works and Transportation, to perform a certain examination of Maryland Route 210 and report certain findings and recommendations to the Governor and the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, in line 33, strike "**AT INTERSECTIONS**".

On page 3, strike beginning with "**AT**" in line 8 down through "**INTERSECTIONS**" in line 9.

On page 4, strike beginning with "**[**at" in line 10 down through "**INTERSECTION**" in line 11; in line 19, strike "**[**1."; in the same line, strike "one" and substitute "**THREE**"; in the same line, strike "system" and substitute "**SYSTEMS**"; in line 20, strike "at the intersection of Old Fort Road and" and substitute "**ON**"; and strike in their entirety lines 21 through 24, inclusive.

On page 5, strike beginning with "at" in line 2 down through "**INTERSECTION**" in line 3; and in line 26, after "That" insert "the State Highway Administration, in conjunction with the Prince George's County Department of Public Works and Transportation, shall:

(1) examine for Maryland Route 210 (Indian Head Highway) in Prince George's County the engineering, infrastructure, and other relevant factors that it determines may contribute to the overabundance of motor vehicle accidents, injuries, and fatalities on the highway; and

(2) report its findings and recommendations on the most effective solutions to address these motor vehicle accidents, injuries, and fatalities on the highway to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on or before May 31, 2021.

SECTION 3. AND BE IT FURTHER ENACTED, That".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 219 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – New Homes – Correction of Drainage Defects**

**PG 408–19**

**HB0219/470218/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 219
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Correction of"; in line 5, strike "for the correction" and substitute "to evaluate complaints"; in the same line, strike "in new homes"; and strike beginning with "requiring" in line 7 down through "circumstances;" in line 8.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 11, inclusive; in line 12, strike "**(5)**" and substitute "**(4)**"; in line 13, after "**PURPOSES**" insert "**IN PRINCE GEORGE'S COUNTY**"; in lines 15 and 16, strike "**FOR THE CORRECTION**" and substitute "**TO EVALUATE COMPLAINTS**"; in line 16, strike "**IN NEW HOMES**"; in line 18, after "**INCLUDE**" insert "**PROCEDURES FOR**"; in line 19, strike "**A CLAIMS PROCEDURE FOR**"; in lines 19 and 20, strike "**FILE A COMPLAINT FOR THE CORRECTION**" and substitute "**REQUEST AN EVALUATION**"; strike beginning with "**AN**" in line 21 down through "**COMPLAINT**" in line 23 and substitute "**REQUIRING THE COUNTY TO COMPLETE A WRITTEN EVALUATION OF ALLEGED DRAINAGE DEFECTS; AND**

**(3) REQUIRING THE COUNTY TO COLLECT DATA REGARDING HOMEBUILDERS WHO HAVE BUILT HOMES WITH DRAINAGE DEFECTS**";

and strike in their entirety lines 24 through 29, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 326 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Office of the Inspector General – Technical Changes**

**MC/PG 104–19**

**HB0326/310614/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 326

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "developers;" insert "correcting erroneous references to the executive director of the Commission in certain provisions of law regarding certain notification and action related to the failure of certain employees and officials to provide certain information or documentation to the Inspector General;"; in line 14, after "Section" insert "17–608(a),"; and in the same line, after "18–201(a)(2)" insert a comma.

AMENDMENT NO. 2

On page 1, after line 19, insert:

"17–608.

(a) (1) On request from the inspector general, a Commission employee or official shall promptly provide to the inspector general any available document or other information concerning Commission operations, budget, programs, or vendor contracts.

(2) (i) The inspector general shall notify the Commission chair, vice chair, and **[**executive director**]** **GENERAL MANAGER** if any Commission employee or official fails to provide any information or document requested under this subsection with reasonable promptness.

(ii) The Commission chair, vice chair, or **[**executive director**]** **GENERAL MANAGER** shall take administrative action to produce compliance with a pending request for information by the inspector general as warranted and appropriate.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 449 – Delegate Lafferty**

AN ACT concerning

**Baltimore County – Development Impact Fees – Authorization**

**HB0449/230818/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 449
(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike "Delegate Lafferty" and substitute "Baltimore County Delegation"; line 2, after "Authorization" insert "and Use of Funds"; and in line 5, after "facilities;" insert "requiring money collected through development impact fees used to finance the capital costs of certain public works, improvements, and facilities to be used in a certain community;".

AMENDMENT NO. 2

In line 16, before "**BY**" insert "**(A)**"; and after line 19, insert:

"**(B) ANY FUNDS COLLECTED THROUGH A DEVELOPMENT IMPACT FEE FOR THE PURPOSES IDENTIFIED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE USED WITHIN THE SURROUNDING COMMUNITY OF THE CONSTRUCTION OR DEVELOPMENT FOR WHICH THE DEVELOPMENT IMPACT FEE IS IMPOSED.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 517 – Delegates Stewart, Ciliberti, Ivey, Solomon, Acevero, Attar, Bagnall, Barron, Bartlett, Bhandari, Boyce, Bridges, Cain, Cardin, Carr, Charkoudian, Clark, Crosby, Crutchfield, Cullison, Dumais, Ebersole, Feldmark, Guyton, Healey, Hettleman, Hill, Jalisi, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Patterson, Pena–Melnyk, Qi, Queen, Sample–Hughes, Shetty, Smith, Stein, Terrasa, Valderrama, Washington, Wells, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Pedestrian Safety Fund Act of 2019**

**HB0517/470816/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 517
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Crosswalks – Violation of Pedestrian Right–of–Way – Penalty"; strike beginning with "establishing" in line 3 down through "Fund" in line 12 and substitute "increasing the maximum fine for a certain motor vehicle violation related to the right–of–way for pedestrians in crosswalks; and generally relating to pedestrian rights–of–way"; and strike in their entirety lines 13 through 22, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 5, inclusive; strike in their entirety lines 11 through 15, inclusive; and strike in their entirety lines 18 through 31, inclusive.

AMENDMENT NO. 3

On page 3, in line 17, strike "**OF NOT LESS THAN $150 AND**"; and in line 18, strike "$500" and substitute "**$1,000**".

AMENDMENT NO. 4

On pages 3 through 5, strike the lines beginning with line 19 on page 3 through line 2 on page 5, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 618 – Delegate Adams**

AN ACT concerning

**Dorchester County – Sunday Hunting – Deer Bow Hunting Season**

**HB0618/490513/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 618
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deer" insert "on private property"; and in the same line, strike "on certain property".

AMENDMENT NO. 2

On page 3, in line 7, strike "**§**" and substitute "**§§ 10–411 AND**"; in line 8, after "**DEER**" insert "**ON PRIVATE PROPERTY**"; and strike beginning with the second comma in line 10 down through "**DEPARTMENT**" in line 14.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 619 – Delegate Adams**

AN ACT concerning

**Dorchester County – Sunday Hunting – Deer Muzzle Loader Season**

**HB0619/920612/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 619
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deer" insert "on private property"; and in the same line, strike "on certain property".

AMENDMENT NO. 2

On page 2, in line 1, strike "**§**" and substitute "**§§ 10–411 AND**"; in line 2, after "**DEER**" insert "**ON PRIVATE PROPERTY**"; and strike beginning with "**ON**" in line 3 down through "**DEPARTMENT**" in line 7.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 620 – Delegate Adams**

AN ACT concerning

**Dorchester County – Sunday Hunting – Deer Firearms Season**

**HB0620/270417/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 620
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deer" insert "on private property"; and in the same line, strike "on certain property".

AMENDMENT NO. 2

On page 2, in line 1, strike "**§**" and substitute "**§§ 10–411 AND**"; in line 2, after "**DEER**" insert "**ON PRIVATE PROPERTY**"; and strike beginning with "**ON**" in line 3 through "**DEPARTMENT**" in line 7.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 678 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Prince George's County Recreation Program – Youth Sports Division**

**MC/PG 115–19**

**HB0678/720015/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 678
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Program" and substitute "Programs"; in the same line, after "Sports" insert "Program and"; in line 5, after "Board" insert "to offer a comprehensive youth sports program and"; in lines 6 and 8, in each instance, strike "program" and substitute "programs"; and in line 12, after "25–801" insert "and 25–802 to be under the amended subtitle "Subtitle 8. Prince George's County Recreation Programs""".

AMENDMENT NO. 2

On page 1, after line 17, insert:

"Subtitle 8. Prince George's County Recreation **[**Program**]** **PROGRAMS**.";

in line 21, strike the second "and"; after line 21, insert:

"**(2) OFFER A COMPREHENSIVE YOUTH SPORTS PROGRAM THAT PROVIDES A VARIETY OF SPORTS PROGRAMMING, LEAGUES, AND TEAMS THROUGHOUT THE COUNTY; AND**";

in line 22, strike "(2)" and substitute "**(3)**"; and in the same line, strike "program" and substitute "**PROGRAMS**".

On page 2, in line 1, strike "a program" and substitute "**PROGRAMS**"; in line 13, strike "program" and substitute "**PROGRAMS**"; in lines 15 and 20, in each instance, strike "**PROGRAM**" and substitute "**PROGRAMS**"; and after line 20, insert:

"25–802.

The county planning board, in the development and conduct of its recreation **[**program**]** **PROGRAMS** and in scheduling the use of publicly owned land or buildings for the conduct of the **[**program**]** **PROGRAMS**, shall cooperate with recognized and generally accepted agencies, groups, and organizations that may request to use the land or buildings.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1045 – Delegate Lierman**

AN ACT concerning

**Land Use – Comprehensive Plans – Housing Element**

**HB1045/410614/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1045
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Lierman" and substitute "Delegates Lierman, Boyce, Holmes, Lafferty, Lehman, Love, Stewart, and Wells"; and strike beginning with "requiring" in line 5 down through "issues;" in line 6 and substitute "providing for the contents of the housing element in certain comprehensive plans;

providing for the application of this Act; providing for a delayed effective date; defining certain terms;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 12 through 15, inclusive, and substitute:

"**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "AREA MEDIAN INCOME" HAS THE MEANING STATED IN § 4–1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(3) "LOW–INCOME HOUSING" MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.**

**(4) "WORKFORCE HOUSING" HAS THE MEANING STATED IN § 4–1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(B) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES, PLANS, AND STANDARDS.**

**(C) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE HOUSING WITHIN THE COUNTY, INCLUDING:**

**(1) WORKFORCE HOUSING; AND**

**(2) LOW–INCOME HOUSING.**".

On page 3, strike in their entirety lines 22 through 25, inclusive, and substitute:

"**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "AREA MEDIAN INCOME" HAS THE MEANING STATED IN § 4–1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(3) "LOW–INCOME HOUSING" MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.**

**(4) "WORKFORCE HOUSING" HAS THE MEANING STATED IN § 4–1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(B) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES, PLANS, AND STANDARDS.**

**(C) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE HOUSING WITHIN THE LOCAL JURISDICTION, INCLUDING:**

**(1) WORKFORCE HOUSING; AND**

**(2) LOW–INCOME HOUSING.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any comprehensive or general plan adopted or enacted before the effective date of this Act.";

in line 26, strike "2." and substitute "3."; and strike line 27 in its entirety and substitute "June 1, 2020.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1233 – Delegates R. Lewis and Holmes**

AN ACT concerning

**Environment – Reduction of Lead Risk in Housing – Elevated Blood Lead Levels and Environmental Investigations (Maryland Healthy Children Act)**

**HB1233/510214/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1233
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Holmes" and substitute ", Holmes, Attar, Barve, Boyce, Ciliberti, Fraser–Hidalgo, Harrison, Healey, Jalisi, Lafferty, Lehman, Love, Stein, Stewart, and Wells"; in line 5, after "level" insert "after a certain date"; in line 8, strike "conduct a" and substitute "adopt certain regulations, on or before a certain date, for conducting"; strike beginning with "investigation" in line 9 down through "level" in line 10 and substitute "investigations in accordance with certain requirements"; in line 11, after "include" insert "a summary of"; in line 13, after "notice;" insert "altering a certain definition;"; in the same line, after "defining" insert "a"; and in line 14, strike "terms" and substitute "term".

AMENDMENT NO. 2

On page 2, in line 17, strike "**OCTOBER 1**" and substitute "**JULY 1**"; in lines 4 and 5, strike the brackets; in line 5, after the bracket, insert "**BEFORE JULY 1, 2020, AND GREATER THAN OR EQUAL TO**"; in line 6, after "**TITLE**" insert "**ON OR AFTER JULY 1, 2020**"; in line 7, strike "On receipt" and substitute "**WITHIN 10 BUSINESS DAYS AFTER RECEIPT**"; in line 26, strike "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**" and substitute "**THE**"; in line 28, after "**WITH**" insert "**, OR MORE STRINGENT THAN,**"; and in line 33, strike "**WITHIN 10 BUSINESS DAYS OF**" and substitute "**AFTER**".

On page 3, strike in their entirety lines 9 through 11, inclusive; and in line 13, after "**TESTING**" insert "**A SUMMARY OF**".

On page 6, in line 7, after "**MEANS**" insert "**:**

**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**";

and in line 8, after "**PREVENTION**" insert "**ON OR AFTER OCTOBER 1, 2019; OR**

**(2) BEGINNING 1 YEAR AFTER THE DATE THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION REVISES THE BLOOD LEAD REFERENCE LEVEL UNTIL 1 YEAR AFTER A SUBSEQUENT REVISION, THE REVISED BLOOD LEAD REFERENCE LEVEL AS DETERMINED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION**".

On page 7, in line 8, strike "property has" and substitute "**PROPERTY:**

**1. HAS**";

in lines 9 and 10, strike the brackets; in line 10, strike "on or after" and substitute "**BETWEEN**"; in the same line, strike "**BEFORE OCTOBER 1, 2019, OR**" and substitute "**AND JUNE 30, 2020; OR**

**2. HAS AN ELEVATED BLOOD LEAD LEVEL DOCUMENTED BY A TEST FOR ELEVATED BLOOD LEAD LEVEL**";

in line 12, strike "**OCTOBER 1, 2019**" and substitute "**JULY 1, 2020**"; in lines 32 and 33, strike the brackets; in line 33, strike "on or after" and substitute "**BETWEEN**"; and in line 34, strike "**BEFORE OCTOBER 1, 2019**" and substitute "**AND SEPTEMBER 30, 2019**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1246 – Delegates Fraser–Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, and Wilkins**

AN ACT concerning

**Plug–In Electric Drive Vehicle Excise Tax Credit**

**HB1246/700418/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1246

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Attar, Boyce, Harrison, Healey, Holmes, Jalisi, Lafferty, Lehman, Love, Stein, Stewart, and Wells"; in line 2, strike "Plug–In Electric Drive Vehicle Excise Tax Credit" and substitute "Clean Cars Act of 2019"; strike beginning with "making" in line 3 down through "drive" in line 13 and substitute "expanding the vehicle excise tax credit for the purchase of certain plug–in electric drive vehicles to include the purchase of certain fuel cell electric vehicles; providing for the credit for a plug–in electric drive vehicle and a fuel cell electric vehicle; altering the name, membership, and required activities of the Maryland Electric Vehicle Infrastructure Council; requiring the Council to issue an interim report on or before a certain date; increasing, for a certain fiscal year, the amount that a certain fund must reimburse the Transportation Trust Fund; increasing the total amount of credits that may be allowed during a certain fiscal year; defining a certain term; correcting an obsolete reference; repealing certain obsolete provisions; making stylistic changes; and generally relating to electric"; and strike in their entirety lines 14 through 27, inclusive.

AMENDMENT NO. 2

On page 2, strike line 1 in its entirety and substitute:

"BY adding to

Article – Business Regulation

Section 10–321.1

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Transportation

Section 11–125.1

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–145.1

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 400 of the Acts of the General Assembly of 2011, as amended by Chapters 64 and 65 of the Acts of the General Assembly of 2013 and Chapter 378 of the Acts of the General Assembly of 2015
Section 1

BY repealing and reenacting, with amendments,
Chapter 401 of the Acts of the General Assembly of 2011, as amended by Chapters 64 and 65 of the Acts of the General Assembly of 2013 and Chapter 378 of the Acts of the General Assembly of 2015
Section 1";

and in lines 7 and 11, in each instance, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 17 on page 2 through line 29 on page 4, inclusive, and substitute:

"Article – Business Regulation

**10–321.1.**

**A PERSON MAY NOT SELL HYDROGEN AS MOTOR FUEL IN THE STATE IF THE HYDROGEN WAS PRODUCED BY NATURAL GAS REFORMING.**

Article – Transportation

**11–125.1.**

**"FUEL CELL ELECTRIC VEHICLE" MEANS A MOTOR VEHICLE THAT:**

**(1) IS MADE BY A MANUFACTURER;**

**(2) IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;**

**(3) IS RATED AT NOT MORE THAN 8,500 POUNDS UNLOADED GROSS WEIGHT;**

**(4) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR;**

**(5) IS POWERED ENTIRELY BY ELECTRICITY, PRODUCED BY COMBINING HYDROGEN AND OXYGEN, THAT RUNS THE MOTOR;**

**(6) HAS AN OPERATING RANGE OF AT LEAST 100 MILES; AND**

**(7) PRODUCES ONLY WATER VAPOR AND HEAT AS BY–PRODUCTS.**

11–145.1.

(a) "Plug–in electric drive vehicle" means a motor vehicle that:

(1) Is made by a manufacturer;

(2) Is manufactured primarily for use on public streets, roads, and highways;

(3) Is rated at not more than 8,500 pounds unloaded gross vehicle weight;

(4) Has a maximum speed capability of at least 55 miles per hour; and

(5) Is propelled to a significant extent by an electric motor that draws electricity from a battery that:

(i) Has a capacity of not less than 4 kilowatt–hours for 4–wheeled motor vehicles and not less than 2.5 kilowatt–hours for 2–wheeled or 3–wheeled motor vehicles; and

(ii) Is capable of being recharged from an external source of electricity.

(b) "Plug–in electric drive vehicle" includes a qualifying vehicle that has been modified from original manufacturer specifications.

13–815.

(a) In this section, "excise tax" means the tax imposed under § 13–809 of this subtitle.

(b) This section applies only to **[**a**]:**

**(1)** **A** plug–in electric drive vehicle that:

**[**(1)**]** **(I)** Has not been modified from original manufacturer specifications;

**[**(2)**]** **(II)** Is acquired for use or lease by the taxpayer and not for resale;

**[**(3)**]** **(III)** Has a total purchase price not exceeding **[**$60,000**]** **$63,000**;

**[**(4)**]** **(IV)** Has a battery capacity of at least 5.0 kilowatt–hours; and

**[**(5)**]** **(V)** Is purchased new and titled for the first time on or after July 1, 2017, but before July 1, 2020**; AND**

**(2)** **A FUEL CELL ELECTRIC VEHICLE THAT:**

**(I)** **HAS NOT BEEN MODIFIED FROM ORIGINAL MANUFACTURER SPECIFICATIONS;**

**(II)** **IS ACQUIRED FOR USE OR LEASE BY THE TAXPAYER AND NOT FOR RESALE;**

**(III)** **HAS A TOTAL PURCHASE PRICE NOT EXCEEDING $63,000; AND**

**(IV)** **IS PURCHASED NEW AND TITLED FOR THE FIRST TIME ON OR AFTER JULY 1, 2017, BUT BEFORE JULY 1, 2020**.

(c) Subject to available funding, a credit is allowed against the excise tax imposed for a plug–in electric drive vehicle **OR FUEL CELL ELECTRIC VEHICLE**.

(d) The credit allowed under this section **[**may not exceed the lesser of:

(1) The product of $100 times the number of kilowatt–hours of battery capacity of the vehicle; or

(2)**]** **IS** $3,000.

(e) The credit allowed under this section is limited to the acquisition of:

(1) One vehicle per individual; and

(2) 10 vehicles per business entity.

(f) A credit may not be claimed under this section:

(1) For a vehicle unless the vehicle is registered in the State; or

(2) Unless the manufacturer has already conformed to any applicable State or federal laws or regulations governing clean–fuel vehicle or electric vehicle purchases applicable during the calendar year in which the vehicle is titled.

(g) The Motor Vehicle Administration shall administer the credit under this section.

Chapter 400 of the Acts of 2011, as amended by Chapters 64 and 65 of the Acts of 2013 and Chapter 378 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) In this section, **[**"electric vehicle" or "EV" means any mode of electric drive transportation that is not operated on rails.**]** **"ZERO EMISSION ELECTRIC VEHICLE" INCLUDES:**

**(1) A PLUG–IN ELECTRIC DRIVE VEHICLE AS DEFINED IN § 11–145.1 OF THE TRANSPORTATION ARTICLE; AND**

**(2) A FUEL CELL ELECTRIC VEHICLE AS DEFINED IN § 11–125.1 OF THE TRANSPORTATION ARTICLE.**

(b) There is a Maryland **ZERO EMISSION** Electric Vehicle Infrastructure Council.

(c) The Council consists of the following members:

(1) One member of the Senate of Maryland, appointed by the President of the Senate;

(2) Two members of the House of Delegates, appointed by the Speaker of the House;

(3) The Secretary of Transportation or the Secretary's designee;

(4) The Secretary of Planning or the Secretary's designee;

(5) The Secretary of the Environment or the Secretary's designee;

(6) The Secretary of **[**Business and Economic Development**]** **COMMERCE** or the Secretary's designee;

(7) The Executive Director of the Technical Staff of the Maryland Public Service Commission or the Executive Director's designee;

(8) The Director of the Maryland Energy Administration or the Director's designee; and

(9) The following members appointed by the Governor:

(i) One representative of an institution of higher education in the State with expertise in energy, transportation, or the environment;

(ii) Two representatives of the Maryland Association of Counties, including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State;

(iii) Two representatives of the Maryland Municipal League, including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State;

(iv) One representative of the Baltimore Electric Vehicle Initiative;

(v) Two representatives of electric companies in the State;

(vi) One representative of **[**an**]** **A PLUG–IN** electric **DRIVE** vehicle manufacturer;

(vii) One representative of a manufacturer of **PLUG–IN** electric **DRIVE** vehicle charging stations;

(viii) **ONE REPRESENTATIVE OF MANUFACTURERS OF FUEL CELL ELECTRIC VEHICLES;**

**(IX) ONE REPRESENTATIVE OF MANUFACTURERS OF FUEL CELL ELECTRIC VEHICLE INFRASTRUCTURE EQUIPMENT;**

**(X)** One representative of fleet vehicle operators;

**[**(ix)**] (XI)** One representative of electrical workers;

**[**(x)**] (XII)** One representative of the environmental community;

**[**(xi)**] (XIII)** One public member with expertise in energy or transportation policy;

**[**(xii)**] (XIV)** One representative of the Maryland Automobile Dealers Association; and

**[**(xiii)**] (XV)** One representative of the retail electric supplier community.

(d) The Governor shall designate the chair or cochairs of the Council.

(e) The Department of Transportation shall provide staff support to the Council with the assistance of the Maryland Energy Administration and Maryland Public Service Commission.

(f) A member of the Council:

(1) May not receive compensation as a member of the Council; but

(2) Is entitled to reimbursement of expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Council shall:

(1) Develop an action plan to facilitate the successful integration of **ZERO EMISSION** electric vehicles into the State's transportation network;

(2) Assist in developing and coordinating statewide standards for streamlined permitting and installation of residential and commercial **[**EV**] ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** stations and supply equipment;

(3) Develop a recommendation for a statewide **ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** infrastructure plan, including placement opportunities for public charging **AND HYDROGEN REFUELING** stations;

(4) Increase consumer awareness and demand for **ZERO EMISSION** electric vehicles through public outreach;

(5) Make recommendations regarding monetary and nonmonetary incentives to support **ZERO EMISSION** electric vehicle ownership and maximize private sector investment in **ZERO EMISSION** electric vehicles;

(6) Develop targeted policies to support fleet purchases of **ZERO EMISSION** electric vehicles;

(7) Develop charging solutions for existing and future multidwelling units;

**(8) DEVELOP MODEL PROCUREMENT PRACTICES FOR LIGHT–DUTY VEHICLES THAT INCLUDE AN EVALUATION OF THE VEHICLE LIFECYCLE COSTS INCLUSIVE OF ESTIMATED FUEL COST OVER THE ANTICIPATED LIFE OF THE VEHICLE;**

**[**(8)**] (9)** Encourage local and regional efforts to promote the use of electric vehicles and attract federal funding for State and local **[**EV**] ZERO EMISSION ELECTRIC VEHICLE** programs;

**[**(9)**] (10)** Recommend policies that support **[**EV**] ZERO EMISSION ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** from clean energy sources;

**[**(10)**] (11)** Recommend a method of displaying pricing information at public charging **AND HYDROGEN REFUELING** stations;

**[**(11)**] (12)** Establish performance measures for meeting **[**EV–related**] ZERO EMISSION ELECTRIC VEHICLE–RELATED** employment, infrastructure, and regulatory goals; and

**[**(12)**] (13)** Pursue other goals and objectives that promote the utilization of **ZERO EMISSION** electric vehicles in the State.

(h) (1) On or before December 1, 2013, December 1, 2014, December 1, 2015, December 1, 2016, December 1, 2017, **[**and**]** December 1, 2018, **AND DECEMBER 1, 2019,** the Council shall submit interim reports of its work and recommendations to the Governor and, **[**subject to**] IN ACCORDANCE WITH** § 2–1246 of the State Government Article, the General Assembly.

(2) On or before June 30, 2020, the Council shall submit a final report of its work and recommendations to the Governor and, **[**subject to**]** **IN ACCORDANCE WITH** § 2–1246 of the State Government Article, the General Assembly.

Chapter 401 of the Acts of 2011, as amended by Chapters 64 and 65 of the Acts of 2013 and Chapter 378 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) In this section, **[**"electric vehicle" or "EV" means any mode of electric drive transportation that is not operated on rails.**]** **"ZERO EMISSION ELECTRIC VEHICLE" INCLUDES:**

**(1) A PLUG–IN ELECTRIC DRIVE VEHICLE AS DEFINED IN § 11–145.1 OF THE TRANSPORTATION ARTICLE; AND**

**(2) A FUEL CELL ELECTRIC VEHICLE AS DEFINED IN § 11–125.1 OF THE TRANSPORTATION ARTICLE.**

(b) There is a Maryland **ZERO EMISSION** Electric Vehicle Infrastructure Council.

(c) The Council consists of the following members:

(1) One member of the Senate of Maryland, appointed by the President of the Senate;

(2) Two members of the House of Delegates, appointed by the Speaker of the House;

(3) The Secretary of Transportation or the Secretary's designee;

(4) The Secretary of Planning or the Secretary's designee;

(5) The Secretary of the Environment or the Secretary's designee;

(6) The Secretary of **[**Business and Economic Development**]** **COMMERCE** or the Secretary's designee;

(7) The Executive Director of the Technical Staff of the Maryland Public Service Commission or the Executive Director's designee;

(8) The Director of the Maryland Energy Administration or the Director's designee; and

(9) The following members appointed by the Governor:

(i) One representative of an institution of higher education in the State with expertise in energy, transportation, or the environment;

(ii) Two representatives of the Maryland Association of Counties, including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State;

(iii) Two representatives of the Maryland Municipal League, including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State;

(iv) One representative of the Baltimore Electric Vehicle Initiative;

(v) Two representatives of electric companies in the State;

(vi) One representative of **[**an**]** **A PLUG–IN** electric **DRIVE** vehicle manufacturer;

(vii) One representative of a manufacturer of **PLUG–IN** electric **DRIVE** vehicle charging stations;

(viii) **ONE REPRESENTATIVE OF MANUFACTURERS OF FUEL CELL ELECTRIC VEHICLES;**

**(IX) ONE REPRESENTATIVE OF MANUFACTURERS OF FUEL CELL ELECTRIC VEHICLE INFRASTRUCTURE EQUIPMENT;**

**(X)** One representative of fleet vehicle operators;

**[**(ix)**] (XI)** One representative of electrical workers;

**[**(x)**] (XII)** One representative of the environmental community;

**[**(xi)**] (XIII)** One public member with expertise in energy or transportation policy;

**[**(xii)**] (XIV)** One representative of the Maryland Automobile Dealers Association; and

**[**(xiii)**] (XV)** One representative of the retail electric supplier community.

(d) The Governor shall designate the chair or cochairs of the Council.

(e) The Department of Transportation shall provide staff support to the Council with the assistance of the Maryland Energy Administration and Maryland Public Service Commission.

(f) A member of the Council:

(1) May not receive compensation as a member of the Council; but

(2) Is entitled to reimbursement of expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Council shall:

(1) Develop an action plan to facilitate the successful integration of **ZERO EMISSION** electric vehicles into the State's transportation network;

(2) Assist in developing and coordinating statewide standards for streamlined permitting and installation of residential and commercial **[**EV**]** **ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** stations and supply equipment;

(3) Develop a recommendation for a statewide **ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** infrastructure plan, including placement opportunities for public charging **AND HYDROGEN REFUELING** stations;

(4) Increase consumer awareness and demand for **ZERO EMISSION** electric vehicles through public outreach;

(5) Make recommendations regarding monetary and nonmonetary incentives to support **ZERO EMISSION** electric vehicle ownership and maximize private sector investment in **ZERO EMISSION** electric vehicles;

(6) Develop targeted policies to support fleet purchases of **ZERO EMISSION** electric vehicles;

(7) Develop charging solutions for existing and future multidwelling units;

**(8) DEVELOP MODEL PROCUREMENT PRACTICES FOR LIGHT–DUTY VEHICLES THAT INCLUDE AN EVALUATION OF THE VEHICLE LIFECYCLE COSTS INCLUSIVE OF ESTIMATED FUEL COST OVER THE ANTICIPATED LIFE OF THE VEHICLE;**

**[**(8)**] (9)** Encourage local and regional efforts to promote the use of electric vehicles and attract federal funding for State and local **[**EV**]** **ZERO EMISSION ELECTRIC VEHICLE** programs;

**[**(9)**] (10)** Recommend policies that support **[**EV**]** **ZERO EMISSION ELECTRIC VEHICLE** charging **AND HYDROGEN REFUELING** from clean energy sources;

**[**(10)**] (11)** Recommend a method of displaying pricing information at public charging **AND HYDROGEN REFUELING** stations;

**[**(11)**] (12)** Establish performance measures for meeting **[**EV–related**] ZERO EMISSION ELECTRIC VEHICLE–RELATED** employment, infrastructure, and regulatory goals; and

**[**(12)**] (13)** Pursue other goals and objectives that promote the utilization of **ZERO EMISSION** electric vehicles in the State.

(h) (1) On or before December 1, 2013, December 1, 2014, December 1, 2015, December 1, 2016, December 1, 2017, **[**and**]** December 1, 2018, **AND DECEMBER 1, 2019,** the Council shall submit interim reports of its work and recommendations to the Governor and, **[**subject to**] IN ACCORDANCE WITH** § 2–1246 of the State Government Article, the General Assembly.

(2) On or before June 30, 2020, the Council shall submit a final report of its work and recommendations to the Governor and, **[**subject to**] IN ACCORDANCE WITH** § 2–1246 of the State Government Article, the General Assembly.

Chapter 359 of the Acts of 2014, as amended by Chapters 362 and 363 of the Acts of 2017

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal **[**years 2018, 2019, and**] YEAR** 2020**[**, respectively,**]** the lesser of **[**$2,400,000**] $6,000,000** or the actual total amount of credits allowed against the excise tax shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Transportation Trust Fund to offset a reduction in revenues from the vehicle excise tax credit for qualified plug–in electric drive vehicles **AND FUEL CELL ELECTRIC VEHICLES** under § 13–815 of the Transportation Article, as enacted by this Act. **[**The**] FOR FISCAL YEAR 2020, THE** total amount of credits allowed against the excise tax may not exceed **[**$3,000,000 during the course of any fiscal year**] $6,000,000**.

Chapter 360 of the Acts of 2014, as amended by Chapters 362 and 363 of the Acts of 2017

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal **[**years 2018, 2019, and**] YEAR** 2020**[**, respectively,**]** the lesser of **[**$2,400,000**] $6,000,000** or the actual total amount of credits allowed against the excise

tax shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Transportation Trust Fund to offset a reduction in revenues from the vehicle excise tax credit for qualified plug–in electric drive vehicles **AND FUEL CELL ELECTRIC VEHICLES** under § 13–815 of the Transportation Article, as enacted by this Act. **[**The**] FOR FISCAL YEAR 2020, THE** total amount of credits allowed against the excise tax may not exceed **[**$3,000,000 during the course of any fiscal year**] $6,000,000**.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Beitzel moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1287 – Delegate Lafferty**

AN ACT concerning

**Housing – Community Development Program Act – Funding**

**HB1287/320916/1**
BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1287
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Lafferty" and substitute "Delegates Lafferty, Boyce, Fraser–Hidalgo, Harrison, Healey, Holmes, Jalisi, Lehman, Love, Stewart, and Wells".

AMENDMENT NO. 2

On page 2, in line 9, after "distribute" insert "**:**

**(I)**";

in line 10, after "Article" insert "**; AND**

**(II) $5,000,000 TO THE COMMUNITY DEVELOPMENT PROGRAM FUND ESTABLISHED UNDER § 6–606 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE**";

in line 21, strike the brackets; and strike beginning with the colon in line 21 down through "**THE**" in line 25.

On page 4, in line 11, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1401 – Delegate Barve**

AN ACT concerning

**Vehicle Laws – Overweight Vehicles – Heavyweight Port Corridor Permit**

**HB1401/790319/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1401
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Barve" and substitute "Delegates Barve, Cassilly, Clark, Jacobs, Parrott, and Wivell"; in line 2, strike "Heavyweight" and substitute "Heavy Weight"; strike beginning with "State" in line 3 down through "corridor" in line 5 and substitute "Secretary of Transportation to determine that a vehicle or combination of vehicles transporting certain freight is an indivisible load authorized to obtain a certain overweight vehicle permit under certain circumstances; establishing certain conditions for a vehicle issued a permit under this Act, including a requirement to

travel only on roads designated as being part of a "heavy weight port corridor""; in lines 6 and 7, in each instance, strike "heavyweight" and substitute "heavy weight"; strike beginning with "authorizing" in line 6 down through "corridor" in line 7 and substitute "requiring the Secretary to adopt certain regulations for the issuance of permits under this Act"; in line 11, after "24–109(i)" insert "and 24–113.3"; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with "**(1)**" in line 1 down through "**(2)**" in line 4; in line 4, strike "**TITLE**" and substitute "**SECTION**"; in line 6, strike "**24–113.1**" and substitute "**24–113.3**"; and in line 6, strike "**TRAVEL ON A DESIGNATED HEAVYWEIGHT PORT**" and substitute "**TRAVELING ALONG A DESIGNATED HEAVY WEIGHT PORT**".

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 8 on page 2 through line 16 on page 3, inclusive, and substitute:

"**24–113.3.**

**(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE SECRETARY, BY REGULATION, MAY DETERMINE THAT A VEHICLE OR COMBINATION OF VEHICLES TRANSPORTING MANIFESTED INTERNATIONAL FREIGHT AS THE ONLY LOAD OF THE VEHICLE OR COMBINATION OF VEHICLES IN A SEALED, SEAGOING CONTAINER ON A SEMITRAILER IS TRANSPORTING AN INDIVISIBLE LOAD, PROVIDED THAT THE VEHICLE OR COMBINATION OF VEHICLES IS ISSUED A PERMIT UNDER THIS SECTION AND:**

**(1) IS CARRYING NOT MORE THAN 100,000 POUNDS GROSS MAXIMUM VEHICLE WEIGHT;**

**(2) HAS THE MINIMUM NUMBER OF AXLES REQUIRED BY THE PERMIT;**

**(3) DOES NOT EXCEED THE MAXIMUM AXLE WEIGHT OR AXLE SPACING REQUIREMENTS, AS ESTABLISHED BY REGULATION OR SPECIFIED ON THE PERMIT;**

**(4) IS TRAVELING ONLY DURING THE HOURS AS ESTABLISHED BY REGULATION OR SPECIFIED ON THE PERMIT;**

**(5) ADHERES TO A UNIQUE MAXIMUM SPEED LIMIT SPECIFIED ON THE PERMIT; AND**

**(6) IS TRAVELING ONLY ON STATE OR COUNTY HIGHWAYS THAT ARE:**

**(I) ON THE SPECIFIC ROUTE ESTABLISHED BY REGULATION AND SPECIFIED ON THE PERMIT BETWEEN THE SEAGIRT MARINE TERMINAL AND A DESTINATION AUTHORIZED BY THE SECRETARY, WITH NO DEVIATION FROM THE SPECIFIC ROUTE; AND**

**(II) SPECIFICALLY DESIGNATED BY THE SECRETARY AS BEING PART OF A "HEAVY WEIGHT PORT CORRIDOR".**

**(B) (1) THE SECRETARY SHALL ADOPT REGULATIONS, CONSISTENT WITH THIS SECTION, FOR THE ISSUANCE OF PERMITS FOR VEHICLES DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION.**

**(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION:**

**(I) MAY SET PERMIT FEES; AND**

**(II) SHALL ESTABLISH AXLE AND GROSS WEIGHT REQUIREMENTS, ROUTES, AND OTHER NECESSARY CRITERIA.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 130 – Delegates R. Lewis, Anderson, Boyce, Bridges, Conaway, Glenn, Lierman, Mosby, Smith, and Wells**

AN ACT concerning

**Maryland Transit Administration – Workgroup to Study Dedicated Bus Lanes in Baltimore City**

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**HB0130/170911/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 130
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Workgroup to" and substitute "and Baltimore City Department of Transportation – "; in the same line, after "Study" insert "of"; in lines 2 and 3, strike "in Baltimore City"; strike beginning with "establishing" in line 4 down through "expenses;" in line 7; in line 7, strike "Workgroup" and substitute "Maryland Transit Administration and the Baltimore City Department of Transportation"; in line 13, after "Administration" insert "and the Department"; in the same line, strike "its" and substitute "their"; and strike beginning with "the" in line 15 down through "Lanes" in line 16 and substitute "the study of dedicated bus lanes".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "There" in line 19 on page 1 down through "Workgroup" in line 15 on page 2 and substitute "The Maryland Transit Administration, jointly with the Baltimore City Department of Transportation,".

AMENDMENT NO. 3

On page 2, in lines 20 and 28, strike "(g)" and "(h)", respectively, and substitute "(b)" and "(c)", respectively; in line 20, strike "(f)(1)" and substitute "(a)(1)"; in line 28, strike "Workgroup" and substitute "Maryland Transit Administration and the Baltimore City Department of Transportation"; and in the same line, strike "its" and substitute "their".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1169 – Delegates D.E. Davis, Branch, Brooks, Busch, Queen, and Valderrama**

AN ACT concerning

**Business Regulation – Tobacco Products and Electronic Smoking Devices – Revisions**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1169/633924/1**
BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 1169
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "products;" insert "exempting certain individuals from a certain minimum age requirement for an individual to purchase or be sold tobacco products;".

AMENDMENT NO. 2

On page 3, in line 27, after "**PRODUCTS**" insert "**WITHOUT MILITARY IDENTIFICATION**".

On page 6, in line 21, after "**PRODUCTS**" insert "**WITHOUT MILITARY IDENTIFICATION**".

On page 14, in line 13, after "**PRODUCTS**" insert "**WITHOUT MILITARY IDENTIFICATION**".

On page 19, in line 28, after "to" insert "**:**

**(I)**".

On page 20, in line 1, strike the period and substitute "**; OR**

**(II) A PURCHASER OR RECIPIENT WHO:**

**1. IS AT LEAST 18 YEARS OF AGE;**

**2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**3. PRESENTS A VALID MILITARY IDENTIFICATION.**";

in lines 12 and 14, in each instance, after "**YEARS**" insert "**, UNLESS THE INDIVIDUAL:**

**(I) IS AT LEAST 18 YEARS OF AGE;**

**(II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**(III) PRESENTS A VALID MILITARY IDENTIFICATION**";

and in line 18, after "age" insert "**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**".

On page 23, in line 5, strike "an" and substitute "**:**

**(I) AN**";

in line 9, strike the period and substitute "**; OR**

**(II) A PURCHASER OR RECIPIENT WHO:**

**1. IS AT LEAST 18 YEARS OF AGE;**

**2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**3. PRESENTS A VALID MILITARY IDENTIFICATION.**";

in line 25, after "age" insert "**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**"; and in line 33, strike "**AN**" and substitute "**:**

**(I) AN**".

On page 24, in line 2, strike the period and substitute "**; OR**

**(II) A PURCHASER OR RECIPIENT WHO:**

**1. IS AT LEAST 18 YEARS OF AGE;**

**2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**3. PRESENTS A VALID MILITARY IDENTIFICATION.**";

and in line 26, after "old" insert "**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**".

On page 26, in line 4, after "unless" insert "**:**

**(I)**";

in line 6, after "products;" insert "**OR**

**(II) THE INDIVIDUAL:**

**1. IS AT LEAST 18 YEARS OF AGE;**

**2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**3. PRESENTS A VALID MILITARY IDENTIFICATION;**";

in line 8, after "**YEARS**" insert "**, UNLESS THE INDIVIDUAL:**

**(I) IS AT LEAST 18 YEARS OF AGE;**

**(II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**(III) PRESENTS A VALID MILITARY IDENTIFICATION**";

in line 10, after "product" insert "**, UNLESS THE INDIVIDUAL:**

**(I) IS AT LEAST 18 YEARS OF AGE;**

**(II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

**(III) PRESENTS A VALID MILITARY IDENTIFICATION**";

and in line 16, after "old" insert "**OR AS BEING AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 36 Negative – 88 (See Roll Call No. 545)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 30

**House Bill 786 – Delegates Atterbeary, Acevero, B. Barnes, Bartlett, Barve, Branch, Bridges, Cain, Carr, Chang, Charkoudian, Charles, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Healey, Hettleman, Hill, Ivey, Jalisi, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pendergrass, Proctor, Qi, Reznik, Rogers, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, K. Young, and P. Young**

AN ACT concerning

**Public Safety – Rifles and Shotguns – Transactions**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Kipke moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

## SPECIAL ORDER CALENDAR NO. 29

**House Bill 740 – Delegates Dumais, Atterbeary, Acevero, Anderson, Bagnall, B. Barnes, D. Barnes, Barron, Barve, Boyce, Branch, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Crutchfield, D.M. Davis, D.E. Davis, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Jackson, Johnson, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena–Melnyk, Pendergrass, Qi, Queen, Reznik, Rogers, Rosenberg, Shetty, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, R. Watson, Wilkins, K. Young, and P. Young**

AN ACT concerning

**Criminal Law – Firearms – Computer–Aided Fabrication and Serial Number (3–D Printed Firearms and Ghost Guns)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0740/123222/2**
BY: Delegate Kipke

AMENDMENTS TO HOUSE BILL 740, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the House Judiciary Committee Amendments (HB0740/582918/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike lines 2 and 3 in their entirety and substitute:

"Crimes – Use of a Firearm in the Commission of a Crime of Violence or Felony – Penalties
(The Repeat Firearms Offender Act of 2019)";

and strike in their entirety lines 4 through 13, inclusive, and substitute:

"FOR the purpose of altering penalties for a certain crime relating to use of a firearm in the commission of a crime of violence or felony; and generally relating to firearms.".

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 14 on page 1 through line 5 on page 2, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–204
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 3

On pages 2 through 6, strike in their entirety the lines beginning with line 9 on page 2 through line 17 on page 6, inclusive, and substitute:

"4–204.

(a) (1) In this section, "firearm" means:

(i) a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or

(ii) the frame or receiver of such a weapon.

(2) "Firearm" includes an antique firearm, handgun, rifle, shotgun, short–barreled rifle, short–barreled shotgun, starter gun, or any other firearm, whether loaded or unloaded.

(b) A person may not use a firearm in the commission of a crime of violence, as defined in § 5–101 of the Public Safety Article, or any felony, whether the firearm is operable or inoperable at the time of the crime.

(c) (1) (i) A person who violates this section is guilty of a **[**misdemeanor**]** **FELONY** and, in addition to any other penalty imposed for the crime of violence or felony, shall be sentenced**:**

**1. FOR A FIRST OFFENSE,** to imprisonment for not less than 5 years and not exceeding 20 years**; OR**

**2. FOR A SECOND OR SUBSEQUENT OFFENSE, TO IMPRISONMENT FOR NOT LESS THAN 10 YEARS AND NOT EXCEEDING 20 YEARS**.

(ii) **1.** The court may not impose less than the minimum sentence of 5 years **[**and, except**]** **FOR A SENTENCE IMPOSED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.**

**2. THE COURT MAY NOT IMPOSE LESS THAN THE MINIMUM SENTENCE OF 10 YEARS FOR A SENTENCE IMPOSED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH.**

**(III) EXCEPT** as otherwise provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole in less than **[**5 years**]** **THE MANDATORY MINIMUM SENTENCE**.

(2) **[**For each subsequent violation, the**]** **THE** sentence shall be consecutive to and not concurrent with any other sentence imposed for the crime of violence or felony.".

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 85 (See Roll Call No. 546)

FLOOR AMENDMENT

**HB0740/313527/2**
BY: Delegate Mautz

AMENDMENT TO HOUSE BILL 740
(First Reading File Bill)

On page 5, in line 2, strike the second "**OR**"; and in line 3, before the semicolon insert "**; OR**

**(III) TO REPAIR OR IMPROVE THE FIREARM CONSISTENT WITH STATE AND FEDERAL LAW**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 91 (See Roll Call No. 547)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 720 – Delegates Barve, Busch, and Stein**

AN ACT concerning

**Natural Resources – Fishery Management Plans – Oysters**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0720/173429/1**
BY: Delegate Adams

AMENDMENT TO HOUSE BILL 720, AS AMENDED

On page 4 of the Environment and Transportation Committee Amendments (HB0720/530016/1), in lines 3 and 4 of Amendment No. 2 strike "**BLUE OYSTER ENVIRONMENTAL**" and substitute "**MORGAN STATE UNIVERSITY**"; and in line 4 of Amendment No. 2, strike "**BLUE OYSTER ENVIRONMENTAL**" and substitute "**MORGAN STATE UNIVERSITY**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 89 (See Roll Call No. 548)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 317 – Delegate Cullison**

AN ACT concerning

**Maryland Commission on Civil Rights – Civil Penalties**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0317/643228/1**
BY: Delegate Adams

AMENDMENTS TO HOUSE BILL 317
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "complainant;" insert "requiring the Commission to report certain information to the Governor and the General Assembly on or before a certain date in certain years;".

AMENDMENT NO. 2

On page 2, after line 30, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That on or before July 1, 2020, and on or before July 1 of each of the immediately following 4 years, the Maryland Commission on Civil Rights shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, regarding the effect Section 1 of this Act has had on persons against whom complaints have been filed under Title 20 of the State Government Article.";

and in line 31, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**HB0317/873220/1**
BY: Delegate M. Fisher

AMENDMENTS TO HOUSE BILL 317
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute "Human Relations – Discrimination Against Political Affiliation and Civil Penalties"; in line 3, after "of" insert "providing that certain provisions of law prohibiting discrimination include discrimination against a person's political affiliation or a person's expression of political affiliation;"; in line 10, after "to" insert "discrimination against a person's political affiliation,"; in the same line, after "Rights" insert a comma; strike in their entirety lines 11 through 15, inclusive; and in line 18, after "Section" insert "20–304, 20–402, 20–501, 20–603, 20–606, 20–705, and".

AMENDMENT NO. 2

On page 2, in lines 4 and 11, in each instance, strike "or"; in the same lines, in each instance, after "disability" insert "**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**"; and after line 11, insert:

"20–501.

An owner or operator of commercial property, an agent or employee of the owner or operator of commercial property, or a person that is licensed or regulated by the State may not discriminate against an individual in the terms, conditions, or privileges of the leasing of property for commercial use, or in the provision of services or facilities in connection with the leasing of property for commercial use, because of the individual's race, color, religion, sex, age, disability, marital status, sexual orientation, gender identity, **[**or**]** national origin**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**.

20–603.

This subtitle does not require:

(1) an employer, employment agency, labor organization, or joint labor–management committee subject to this subtitle to grant preferential treatment to

any individual or group on the basis of the race, color, religion, sex, age, national origin, gender identity, sexual orientation, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** of the individual or group because an imbalance may exist with respect to the total number or percentage of individuals of any race, color, religion, sex, age, national origin, gender identity, **[**or**]** sexual orientation**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** or individuals with disabilities employed by the employer, referred or classified for employment by the employment agency or labor organization, admitted to membership or classified by the labor organization, or admitted to, or employed in, any apprenticeship or other training program, compared to the total number or percentage of individuals of that race, color, religion, sex, age, national origin, gender identity, **[**or**]** sexual orientation**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** or individuals with disabilities in the State or any community, section, or other area, or in the available work force in the State or any community, section, or other area; or

(2) an employer to reasonably accommodate an employee's religion or disability if the accommodation would cause undue hardship on the conduct of the employer's business.

20–606.

(a) An employer may not:

(1) fail or refuse to hire, discharge, or otherwise discriminate against any individual with respect to the individual's compensation, terms, conditions, or privileges of employment because of:

(i) the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment; or

(ii) the individual's refusal to submit to a genetic test or make available the results of a genetic test;

(2) limit, segregate, or classify its employees or applicants for employment in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual's status as an employee because of:

(i) the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment; or

(ii) the individual's refusal to submit to a genetic test or make available the results of a genetic test;

(3) request or require genetic tests or genetic information as a condition of hiring or determining benefits; or

(4) fail or refuse to make a reasonable accommodation for the known disability of an otherwise qualified employee.

(b) An employment agency may not:

(1) fail or refuse to refer for employment or otherwise discriminate against any individual because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment; or

(2) classify or refer for employment any individual on the basis of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment.

(c) A labor organization may not:

(1) exclude or expel from its membership, or otherwise discriminate against, any individual because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment;

(2) limit, segregate, or classify its membership, or classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive

the individual of employment opportunities, limit the individual's employment opportunities, or otherwise adversely affect the individual's status as an employee or as an applicant for employment because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment; or

(3) cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) An employer, labor organization, or joint labor–management committee controlling apprenticeship or other training or retraining programs, including on–the–job training programs, may not discriminate against any individual in admission to, or employment in, any program established to provide apprenticeship or other training or retraining because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** unrelated in nature and extent so as to reasonably preclude the performance of the employment.

(e) (1) Except as provided in paragraph (2) of this subsection, an employer, labor organization, or employment agency may not print or cause to be printed or published any notice or advertisement relating to employment by the employer, membership in or any classification or referral for employment by the labor organization, or any classification or referral for employment by the employment agency that indicates any preference, limitation, specification, or discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**.

(2) A notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, age, national origin, marital status, or disability if religion, sex, age, national origin, marital status, **[**or**]** disability**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** is a bona fide occupational qualification for employment.

(f) An employer may not discriminate or retaliate against any of its employees or applicants for employment, an employment agency may not discriminate against any individual, and a labor organization may not discriminate or retaliate against any member or applicant for membership because the individual has:

(1) opposed any practice prohibited by this subtitle; or

(2) made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subtitle.

20–705.

Except as provided in §§ 20–703 and 20–704 of this subtitle, a person may not:

(1) refuse to sell or rent after the making of a bona fide offer, refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, **[**or**]** national origin**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**;

(2) discriminate against any person in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection with the sale or rental of a dwelling, because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, **[**or**]** national origin**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**;

(3) make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, **[**or**]** national origin, **POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION** or an intention to make any preference, limitation, or discrimination;

(4) represent to any person, because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, **[**or**]** national origin, **POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION,** that any dwelling is not available for inspection, sale, or rental when the dwelling is available; or

(5) for profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person of a particular race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, **[**or**]** national origin**, POLITICAL AFFILIATION, OR EXPRESSION OF POLITICAL AFFILIATION**.".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 95 (See Roll Call No. 549)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1246 – Delegates Fraser–Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, and Wilkins**

AN ACT concerning

**Plug–In Electric Drive Vehicle Excise Tax Credit**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Barve moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

## QUORUM CALL

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

(See Roll Call No. 550)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 49

**House Bill 671 – Delegates Rogers, Bagnall, Bartlett, Branch, Carey, Chang, Crosby, D.E. Davis, Fennell, Lisanti, McIntosh, Sample–Hughes, C. Watson, ~~and Wilson~~ Wilson, and Howard**

AN ACT concerning

**Household Goods Movers Registration**

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

Affirmative – 110 Negative – 24 (See Roll Call No. 551)

The Bill was then sent to the Senate.

**House Bill 891 – Delegates Haynes, Hettleman, Jackson, Krimm, Reznik, and Valentino–Smith**

AN ACT concerning

**State Personnel – Grievance Procedures**

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

Affirmative – 97 Negative – 38 (See Roll Call No. 552)

The Bill was then sent to the Senate.

**House Bill 1167 – Delegates Haynes and Glenn**

AN ACT concerning

**Labor and Employment – Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals – Establishment**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the Senate.

**House Bill 1189 – Delegates Carey, Bromwell, and P. Young**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 554)

The Bill was then sent to the Senate.

**House Bill 1254 – Delegate Valderrama**

AN ACT concerning

**Governmental Units – Designation of Individual in Responsible Charge of Land Surveying and Property Line Surveying Activities**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 50**

**House Bill 586 – Delegate Wilson**

AN ACT concerning

**Public Safety – Solar Photovoltaic Systems – Lockout Tag Requirement**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the Senate.

**House Bill 639 – ~~Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke, Lehman, Malone, Pena-Melnyk, Rogers, and Saab~~ Anne Arundel County Delegation**

AN ACT concerning

**~~Anne Arundel County –~~ Public Safety – Buildings Used for Agritourism**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the Senate.

**House Bill 650 – Delegates Korman and Barve**

AN ACT concerning

**Energy Storage Pilot Project Act**

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

Affirmative – 119 Negative – 16 (See Roll Call No. 558)

The Bill was then sent to the Senate.

**House Bill 673 – Delegates Pippy, Ciliberti, Cox, Kerr, Krimm, and K. Young**

AN ACT concerning

**Frederick County – Ethics and Campaign Activity – County Board and Commission Members and Board of License Commissioners**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the Senate.

**House Bill 848 – Delegates McComas, Malone, Metzgar, ~~and Parrott~~ Parrott, Arikan, Cardin, and Grammer**

AN ACT concerning

**Courts – Documentary Evidence – Protective Order**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 560)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 51**

**House Bill 25 – Delegates Barron, Hettleman, Korman, ~~and Moon~~ Moon, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Revisions**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 561)

The Bill was then sent to the Senate.

**House Bill 522 – ~~Delegate Krebs~~ Delegates Krebs, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill,**

**Johnson, Kelly, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**Public Health – Food Establishments – Licensing**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 562)

The Bill was then sent to the Senate.

**House Bill 652 – Delegates Love, Acevero, Boyce, Brooks, Carr, Cullison, Ebersole, Gilchrist, Kelly, Lafferty, Lehman, R. Lewis, Lierman, Lisanti, Moon, Palakovich Carr, Solomon, Stewart, Terrasa, Valderrama, and K. Young**

AN ACT concerning

**Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements**

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

Affirmative – 98 Negative – 37 (See Roll Call No. 563)

The Bill was then sent to the Senate.

**House Bill 662 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Glenn Dale Hospital Property**

**MC/PG 110–19**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 564)

The Bill was then sent to the Senate.

**House Bill 713 – Delegate Rosenberg**

AN ACT concerning

**Jury Duty – Individuals Qualified for Jury Service Living Outside the United States**

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

Affirmative – 125 Negative – 10 (See Roll Call No. 565)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 52**

**House Bill 256 – Delegates Wilkins, Acevero, D. Barnes, Cain, Ebersole, Guyton, Ivey, Luedtke, Mosby, Patterson, Smith, Walker, ~~and Washington~~ Washington, and Palakovich Carr**

AN ACT concerning

**State Department of Education – Guidelines on Trauma–Informed Approach**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the Senate.

**House Bill 356 – Delegates Patterson, Luedtke, D. Barnes, Ebersole, Fennell, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

AN ACT concerning

**Primary and Secondary Education – Nonpublic Schools – Required Information**

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

Affirmative – 118 Negative – 17 (See Roll Call No. 567)

The Bill was then sent to the Senate.

**House Bill 471 – Delegates K. Young, Pendergrass, R. Lewis, ~~and Sample–Hughes~~ Sample–Hughes, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, Metzgar, Rosenberg, Saab, and Szeliga**

AN ACT concerning

**Health Occupations – Requirements for the Practice of Optometry – Miscellaneous Revisions**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the Senate.

**House Bill 683 – Delegates Clippinger, Carey, Charkoudian, Dumais, Fennell, Lisanti, Qi, Valderrama, C. Watson, and Wilson**

AN ACT concerning

**Electricity – Community Solar Energy Generating Systems Pilot Program – Extension**

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

Affirmative – 100 Negative – 34 (See Roll Call No. 569)

The Bill was then sent to the Senate.

## SPECIAL ORDER CALENDAR NO. 27

**House Bill 687 – Delegates Wilson, Atterbeary, Bromwell, and D.E. Davis**

AN ACT concerning

**Civil Actions – Child Sexual Abuse – Statute of Limitations**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0687/563822/1**
BY: Delegate Dumais

AMENDMENTS TO HOUSE BILL 687, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (HB0687/172213/1), in Amendment No. 1, strike beginning with "providing" in line 5 down through "Act" in line 6; and strike beginning with "providing" in line 6 down through "circumstances" in line 7.

AMENDMENT NO. 2

On page 2 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 2, strike "may"; in the same line, strike "2019"; and strike beginning with "shall" in line 5 down through "2021" in line 7.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 3 Negative – 131 (See Roll Call No. 570)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDER CALENDAR NO. 33

**House Bill 1412 – Delegate Korman**

AN ACT concerning

**Transportation – Maryland Metro/Transit Funding**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1412/353426/1**
BY: Delegate Korman

AMENDMENTS TO HOUSE BILL 1412, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 11 down through "Fund" in line 13 and substitute "making certain clarifications regarding certain mandated appropriations"; and after line 14, insert:

"BY repealing and reenacting, without amendments,
Article – Transportation

Section 3–216(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

On page 2, strike line 2 in its entirety and substitute:

"Article – Transportation

3–216.

(b) Except as otherwise expressly provided by statute, there shall be credited to the Transportation Trust Fund for the account of the Department all taxes, fees, charges, and revenues collected or received by or paid, appropriated, or credited to the account of the Department or any of its units in the exercise of their rights, powers, duties, or obligations, including the cash proceeds of the sale of consolidated transportation bonds, notes, or other evidences of obligation issued by the Department, any General Fund appropriations, and the proceeds of any State loan or federal grant made for transportation purposes.".

AMENDMENT NO. 2

On page 6, in line 3, after "That" insert a colon; strike beginning with "**THE**" in line 5 down through "**FUND**" in line 6 and substitute:

"**(A) THIS ACT MAY NOT BE CONSTRUED TO PROHIBIT THE GOVERNOR FROM PROVIDING A GENERAL FUND APPROPRIATION FROM THE DEDICATED PURPOSE ACCOUNT TO PROVIDE REVENUE TO THE TRANSPORTATION TRUST FUND AS AUTHORIZED UNDER § 3–216(B) OF THE TRANSPORTATION ARTICLE.**

**(B) THE GOVERNOR MAY NOT SATISFY A MANDATED APPROPRIATION ESTABLISHED UNDER THIS ACT THROUGH THE DIRECT APPROPRIATION OF GENERAL FUNDS**";

in line 8, after "That" insert a colon; and strike beginning with "**THE**" in line 10 down through "**FUND**" in line 11 and substitute:

"**(A) THIS ACT MAY NOT BE CONSTRUED TO PROHIBIT THE GOVERNOR FROM PROVIDING A GENERAL FUND APPROPRIATION FROM THE DEDICATED PURPOSE**

**ACCOUNT TO PROVIDE REVENUE TO THE TRANSPORTATION TRUST FUND AS AUTHORIZED UNDER § 3–216(B) OF THE TRANSPORTATION ARTICLE.**

**(B) THE GOVERNOR MAY NOT SATISFY A MANDATED APPROPRIATION ESTABLISHED UNDER THIS ACT THROUGH THE DIRECT APPROPRIATION OF GENERAL FUNDS**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 786 – Delegates Atterbeary, Acevero, B. Barnes, Bartlett, Barve, Branch, Bridges, Cain, Carr, Chang, Charkoudian, Charles, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Healey, Hettleman, Hill, Ivey, Jalisi, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pendergrass, Proctor, Qi, Reznik, Rogers, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, K. Young, and P. Young**

AN ACT concerning

**Public Safety – Rifles and Shotguns – Transactions**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB0786/603226/1**
BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 786
(First Reading File Bill)

On page 4, in line 22, after "**RANGE**" insert "**OR GUN CLUB**"; and in line 23, after "**RANGE**" insert "**OR CLUB**".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**HB0786/723222/1**
BY: Delegate Mautz

AMENDMENT TO HOUSE BILL 786
(First Reading File Bill)

On page 2, in lines 36 and 37, strike "**STATE–REGULATED FIREARMS DEALER'S LICENSE**" and substitute "**FEDERAL FIREARMS LICENSE**".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**HB0786/893821/1**
BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 786
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "classifying the theft of a firearm as a felony;".

On page 2, after line 20, insert:

"BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–104
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 32, insert:

"Article – Criminal Law

7–104.

(a) A person may not willfully or knowingly obtain or exert unauthorized control over property, if the person:

(1) intends to deprive the owner of the property;

(2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(b) A person may not obtain control over property by willfully or knowingly using deception, if the person:

(1) intends to deprive the owner of the property;

(2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(c) (1) A person may not possess stolen personal property knowing that it has been stolen, or believing that it probably has been stolen, if the person:

(i) intends to deprive the owner of the property;

(ii) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(iii) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

(2) In the case of a person in the business of buying or selling goods, the knowledge required under this subsection may be inferred if:

(i) the person possesses or exerts control over property stolen from more than one person on separate occasions;

(ii) during the year preceding the criminal possession charged, the person has acquired stolen property in a separate transaction; or

(iii) being in the business of buying or selling property of the sort possessed, the person acquired it for a consideration that the person knew was far below a reasonable value.

(3) In a prosecution for theft by possession of stolen property under this subsection, it is not a defense that:

(i) the person who stole the property has not been convicted, apprehended, or identified;

(ii) the defendant stole or participated in the stealing of the property;

(iii) the property was provided by law enforcement as part of an investigation, if the property was described to the defendant as being obtained through the commission of theft; or

(iv) the stealing of the property did not occur in the State.

(4) Unless the person who criminally possesses stolen property participated in the stealing, the person who criminally possesses stolen property and a person who has stolen the property are not accomplices in theft for the purpose of any rule of evidence requiring corroboration of the testimony of an accomplice.

(d) A person may not obtain control over property knowing that the property was lost, mislaid, or was delivered under a mistake as to the identity of the recipient or nature or amount of the property, if the person:

(1) knows or learns the identity of the owner or knows, is aware of, or learns of a reasonable method of identifying the owner;

(2) fails to take reasonable measures to restore the property to the owner; and

(3) intends to deprive the owner permanently of the use or benefit of the property when the person obtains the property or at a later time.

(e) A person may not obtain the services of another that are available only for compensation:

(1) by deception; or

(2) with knowledge that the services are provided without the consent of the person providing them.

(f) Under this section, an offender's intention or knowledge that a promise would not be performed may not be established by or inferred solely from the fact that the promise was not performed.

(g) (1) **THIS SUBSECTION DOES NOT APPLY TO THEFT OF A FIREARM.**

**(2)** A person convicted of theft of property or services with a value of:

(i) at least $1,500 but less than $25,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding 5 years or a fine not exceeding $10,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services;

(ii) at least $25,000 but less than $100,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding 10 years or a fine not exceeding $15,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services; or

(iii) $100,000 or more is guilty of a felony and:

1. is subject to imprisonment not exceeding 20 years or a fine not exceeding $25,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services.

**[**(2)**] (3)** Except as provided in paragraph **[**(3)**] (4)** of this subsection, a person convicted of theft of property or services with a value of at least $100 but less than $1,500, is guilty of a misdemeanor and:

(i) is subject to:

1. for a first conviction, imprisonment not exceeding 6 months or a fine not exceeding $500 or both; and

2. for a second or subsequent conviction, imprisonment not exceeding 1 year or a fine not exceeding $500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

**[**(3)**] (4)** A person convicted of theft of property or services with a value of less than $100 is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 90 days or a fine not exceeding $500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

**[**(4)**] (5)** Subject to paragraph **[**(5)**] (6)** of this subsection, a person who has four or more prior convictions under this subtitle and who is convicted of theft of property or services with a value of less than $1,500 under paragraph **[**(2)**] (3)** of this subsection is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 5 years or a fine not exceeding $5,000 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

**[**(5)**] (6)** The court may not impose the penalties under paragraph **[**(4)**] (5)** of this subsection unless the State's Attorney serves notice on the defendant or the defendant's counsel before the acceptance of a plea of guilty or nolo contendere or at least 15 days before trial that:

(i) the State will seek the penalties under paragraph **[**(4)**] (5)** of this subsection; and

(ii) lists the alleged prior convictions.

**(H) (1) A PERSON CONVICTED OF THEFT OF A FIREARM, INCLUDING AN ANTIQUE FIREARM OR A REPLICA OF AN ANTIQUE FIREARM, IS GUILTY OF A FELONY AND IS SUBJECT TO:**

**(I) FOR A FIRST CONVICTION, IMPRISONMENT FOR NOT LESS THAN 2 YEARS AND NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING $1,000 OR BOTH; AND**

**(II) FOR A SECOND OR SUBSEQUENT CONVICTION, IMPRISONMENT FOR NOT LESS THAN 5 YEARS AND NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING $2,500 OR BOTH.**

**(2) NOTWITHSTANDING § 14–102 OF THIS ARTICLE, THE COURT MAY NOT IMPOSE LESS THAN THE MANDATORY MINIMUM SENTENCE OF:**

**(I) FOR A FIRST CONVICTION, 2 YEARS; AND**

**(II) FOR A SECOND OR SUBSEQUENT CONVICTION, 5 YEARS.**

**(3) THE COURT MAY NOT SUSPEND ANY PART OF THE MANDATORY MINIMUM SENTENCE OF:**

**(I) FOR A FIRST CONVICTION, 2 YEARS; AND**

**(II) FOR A SECOND OR SUBSEQUENT CONVICTION, 5 YEARS.**

**(4) A SENTENCE IMPOSED UNDER PARAGRAPH (1) SHALL BE SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR ANY OTHER OFFENSE.**

**[**(h)**] (I)** (1) If a person is convicted of a violation under this section for failure to pay for motor fuel after the motor fuel was dispensed into a vehicle, the court shall:

(i) notify the person that the person's driver's license may be suspended under § 16–206.1 of the Transportation Article; and

(ii) notify the Motor Vehicle Administration of the violation.

(2) The Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Motor Vehicle Administration, shall establish uniform procedures for reporting a violation under this subsection.

**[**(i)**] (J)** An action or prosecution for a violation of subsection **[**(g)(2) or (3)**] (G)(3) OR (4)** of this section shall be commenced within 2 years after the commission of the crime.

**[**(j)**] (K)** A person who violates this section by use of an interactive computer service may be prosecuted, indicted, tried, and convicted in any county in which the victim resides or the electronic communication originated or terminated.".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 88 (See Roll Call No. 571)

FLOOR AMENDMENT

**HB0786/513723/1**
BY: Delegate Hornberger

AMENDMENT TO HOUSE BILL 786
(First Reading File Bill)

On page 4, strike beginning with "**IF**" in line 30 down through "**TRAPPING**" in line 33.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 38 Negative – 91 (See Roll Call No. 572)

Read the second time and ordered prepared for Third Reading.

## QUORUM CALL

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

(See Roll Call No. 573)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 64

**House Bill 66** – ~~**Delegate Stein**~~ **Delegates Stein, Boyce, Bridges, Fraser–Hidalgo, Harrison, Lehman, Stewart, and Wells**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

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

Affirmative – 102 Negative – 30 (See Roll Call No. 574)

The Bill was then sent to the Senate.

**House Bill 258** – **Delegates Pena–Melnyk** ~~**and Pendergrass**~~**, Pendergrass, Barron, Charles, Cullison, Kelly, R. Lewis, Rosenberg, Sample–Hughes, and K. Young**

AN ACT concerning

**Health Insurance – Individual Market Stabilization – Provider Fee**

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

Affirmative – 97 Negative – 37 (See Roll Call No. 575)

The Bill was then sent to the Senate.

**House Bill 814** – **Delegates Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Carr, Chang, Charkoudian, Conaway, Crutchfield, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gilchrist, Glenn, Harrison, Haynes, Healey,**

**Hettleman, Holmes, Ivey, Jackson, Jalisi, Jones, Kelly, Kerr, Korman, Krimm, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Reznik, Rogers, Rosenberg, Sample–Hughes, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Washington, R. Watson, ~~and P. Young~~ P. Young, Pendergrass, Charles, Cullison, Hill, Johnson, and K. Young**

AN ACT concerning

**Maryland Health Insurance Option**
**(Protect Maryland Health Care Act of 2019)**

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

Affirmative – 119 Negative – 12 (See Roll Call No. 576)

The Bill was then sent to the Senate.

**House Bill 1266 – Delegates Washington, B. Barnes, Charles, D.E. Davis, Fennell, W. Fisher, Gaines, Healey, Ivey, Jackson, Jones, Korman, Proctor, ~~and Turner~~ Turner, and Valentino–Smith**

AN ACT concerning

**National Capital Strategic Economic Development Program – Established**

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

Affirmative – 97 Negative – 38 (See Roll Call No. 577)

The Bill was then sent to the Senate.

**House Bill 1272 – Delegates Pendergrass ~~and McIntosh~~, McIntosh, Cullison, K. Young, Pena–Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill**

AN ACT concerning

**Maryland Department of Health – Family Planning Program – Funding**

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

Affirmative – 97 Negative – 38 (See Roll Call No. 578)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 53

**House Bill 939** – ~~**Delegate Cassilly**~~ **Delegates Cassilly, Cardin, Boyce, Clark, Fraser–Hidalgo, Holmes, Jacobs, Jalisi, Lehman, and Otto**

AN ACT concerning

**Vehicle Laws – Electric Bicycles – Equipment and Operation**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the Senate.

**House Bill 1019** – **Delegates Guyton and Luedtke**

AN ACT concerning

**State Board of Education – Public High School Students – Assessments and Graduation Requirements**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 580)

The Bill was then sent to the Senate.

**House Bill 1025** – **Delegate Mosby**

AN ACT concerning

**Election Law – Coordinated Expenditures and Donations – Investigation**

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

Affirmative – 109 Negative – 25 (See Roll Call No. 581)

The Bill was then sent to the Senate.

**House Bill 1066** – **Delegates Valentino–Smith, Lierman, and P. Young**

AN ACT concerning

**Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 582)

The Bill was then sent to the Senate.

**House Bill 1105** – **Delegates Miller, Arentz, Howard, and Mautz**

AN ACT concerning

**Investor–Owned Electric Companies – Acquisition of Substantial Influence – Prohibition**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 583)

The Bill was then sent to the Senate.

**House Bill 1136** – **Delegates Pippy and Cox**

AN ACT concerning

**~~Frederick County Board of Education – Graduation Requirements – Mental Health Education~~**
**Task Force to Study the Frederick County Public School System's Elementary School Social–Emotional Learning Pilot Program**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 54**

**House Bill 604 – Delegates D.E. Davis, D. Barnes, Charles, Fennell, W. Fisher, Gaines, Harrison, Ivey, Proctor, Turner, Walker, and R. Watson**

AN ACT concerning

**Workers' Compensation – Medical Presumptions for Diseases and Cancer – Eligibility**

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

Affirmative – 131 Negative – 3 (See Roll Call No. 585)

The Bill was then sent to the Senate.

**House Bill 653** – **Delegates D.E. Davis, Branch, Brooks, Valderrama, and Wilson**

AN ACT concerning

**Electric Companies and Gas Companies – Rate Regulation – Alternative Rate Plans**

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

Affirmative – 83 Negative – 51 (See Roll Call No. 586)

The Bill was then sent to the Senate.

**House Bill 735** – **Delegates Healey, Carr, Charkoudian, Ebersole, Fraser–Hidalgo, Gilchrist, Korman, Lafferty, Qi, Shetty, Stein, and Stewart**

AN ACT concerning

**~~Task Force on Forest Conservation in Maryland~~**
**Technical Study on Changes in Forest Cover and Tree Canopy in Maryland**

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

Affirmative – 114 Negative – 20 (See Roll Call No. 587)

The Bill was then sent to the Senate.

**House Bill 747** – **Delegates W. Fisher, Washington, Charles, ~~and Ivey~~ Ivey, Ebersole, Wilkins, Hornberger, Smith, Mosby, Turner, and Feldmark**

AN ACT concerning

**Election Law ~~– Automatic Voter Registration Agencies~~ – Links to Online Voter Registration**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 588)

The Bill was then sent to the Senate.

**House Bill 829 – Delegates Ghrist, Adams, Kelly, Mautz, ~~and Sample–Hughes~~ Sample–Hughes, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young**

AN ACT concerning

**Health Insurance – Provider Panels – Graduate Providers**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the Senate.

**House Bill 924 – Delegates Cullison, Kipke, R. Lewis, Reznik, Saab, Sample–Hughes, ~~and P. Young~~ P. Young, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Johnson, Kelly, Kerr, Krebs, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Szeliga, and K. Young**

AN ACT concerning

**State Board of Physicians – Registered Cardiovascular Invasive Specialists**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the Senate.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 17

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 242 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Natural Resources – Hunting**

**HB0242/640510/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 242
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 3 down through the semicolon in line 5; in line 6, strike "the county" and substitute "Cecil County"; in line 7, strike "wetland game birds, or quail,"; in line 9, after the semicolon insert "repealing an exception for wetland game birds from a certain authorization to allow a person in certain counties to hunt certain game birds or mammals on a Sunday on certain land during the open season for that game bird or game mammal;"; strike beginning with "repealing" in line 11 down through "county;" in line 12; after line 13, insert:

"BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–410(a)(1) and (g)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)";

in line 16, strike "10–408.1 and 10–410(a)(8), (g)(3)(i), and (p)" and substitute "10–410(a)(8) and (g)(3)(i)"; and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 20, inclusive; and in lines 27 and 28, strike "**, WETLAND GAME BIRDS, OR, IN CECIL COUNTY, QUAIL**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 13 through 28, inclusive.

The preceding 3 amendments were read only.

Delegate Stein moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 904 – Delegates Stewart, Carr, Lehman, and Love**

AN ACT concerning

**Agriculture – Nutrient Management – Monitoring and Enforcement**

**HB0904/710518/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 904
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "authorizing the Department of Agriculture to require a certain summary to take the form of an annual implementation report; requiring a certain person to include certain information in an annual implementation report under certain circumstances; requiring a manure broker to provide certain information to a certain person;"; in line 4, after "deadlines" insert ", including deadlines"; in line 6, strike "State"; strike beginning with "requiring" in line 8 down through "certificate;" in line 21 and substitute "requiring the Department of Agriculture, beginning in a certain year, to include certain information on the production and use of animal manure by farm operations in a certain annual report;"; strike beginning with the comma in line 22 down through the comma in line 23; in line 26, after "minimum" insert "one–time permit"; in line 27, strike "proposed new"; in line 28, strike "a certain existing CAFO" and substitute "continued coverage of a certain CAFO under a CAFO General Discharge permit"; in line 29, strike "permit"; and in line 30, strike "user" and substitute "permit".

On pages 1 and 2, strike beginning with "requiring" in line 30 on page 1 down through the semicolon in line 3 on page 2.

On page 2, in line 4, strike "deploy continuous water quality monitoring stations" and substitute "conduct long–term sample collection"; strike beginning with "continuous" in line 5 down through the first "at" in line 6 and substitute "the Department of Natural Resources to regularly collect samples from"; strike beginning with the second "certain" in line 6 down through "existed" in line 8 and substitute "certain water quality monitoring to be done in certain locations"; in line 9, after the second semicolon insert "requiring the Department of the Environment to study and make recommendations regarding certain matters and to make a certain report on or before a certain date;"; after line 11, insert:

"BY repealing and reenacting, with amendments,
Article – Agriculture

Section 8–801.1(b), 8–803.1, and 8–807
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY adding to
Article – Agriculture
Section 8–801.1(c) and 8–803(h) and (i)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)";

in line 14, strike "and 8–805"; strike in their entirety lines 17 through 26, inclusive; in line 29, after the second comma insert "and"; in the same line, strike ", and 9–326"; and strike in their entirety lines 32 through 41, inclusive.

AMENDMENT NO. 2
On page 3, after line 8, insert:

"8–801.1.

(b) (1) **[**A**] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,** A summary of each nutrient management plan shall be filed and updated with the Department at a time and in a form that the Department requires by regulation.

**(2) (I) THE DEPARTMENT MAY REQUIRE AN UPDATED SUMMARY UNDER THIS SUBSECTION TO TAKE THE FORM OF AN ANNUAL IMPLEMENTATION REPORT.**

**(II) IF A PERSON, IN OPERATING A FARM, USES OR PRODUCES ANIMAL MANURE, THE PERSON'S ANNUAL IMPLEMENTATION REPORT SHALL INCLUDE:**

**1. THE AMOUNT OF ANIMAL MANURE IMPORTED TO OR EXPORTED FROM THE PERSON'S FARM;**

**2. FOR ANY ANIMAL MANURE THAT WAS IMPORTED, THE NAME AND LOCATION OF THE SENDING FARM; AND**

**3. FOR ANY ANIMAL MANURE THAT WAS EXPORTED, THE NAME AND LOCATION OF THE FARM, ALTERNATIVE USE FACILITY, OR MANURE BROKER THAT RECEIVED THE MANURE.**

**(III) IF A PERSON RECEIVES ANIMAL MANURE THROUGH A MANURE BROKER, THE BROKER SHALL PROVIDE THE PERSON WITH THE NAME AND LOCATION OF THE SENDING FARM.**

**[**(2)**] (3)** The Department shall maintain a copy of each summary for 3 years in a manner that protects the identity of the individual for whom the nutrient management plan was prepared.

**(C) (1) IF A PERSON FAILS TO FILE A SUMMARY OR ANNUAL IMPLEMENTATION REPORT AS REQUIRED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL NOTIFY THE PERSON THAT:**

**(I) THE PERSON IS IN VIOLATION OF THE REQUIREMENT TO FILE A SUMMARY OR ANNUAL IMPLEMENTATION REPORT; AND**

**(II) THE PERSON IS SUBJECT TO:**

**1. AFTER 30 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT LESS THAN $100 AND NOT MORE THAN $250;**

**2. AFTER 90 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT LESS THAN $250 AND NOT MORE THAN $1,000; AND**

**3. AFTER 90 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT MORE THAN $1,000.**

**(2) A PENALTY IMPOSED ON A PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ASSESSED WITH CONSIDERATION GIVEN TO:**

**(I) THE WILLFULNESS OF THE VIOLATION; AND**

**(II) THE EXTENT TO WHICH THE CURRENT VIOLATION IS PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION COMMITTED BY THE VIOLATOR.**".

On page 4, in line 1, strike "**PERMIT**" and substitute "**CERTIFICATE**"; and in line 3, after "**DEPARTMENT**" insert "**, INCLUDING DEADLINES**".

On page 6, in line 4, strike "**NOT LESS THAN $100 AND**".

AMENDMENT NO. 3

On pages 7 through 11, strike in their entirety the lines beginning with line 23 on page 7 through line 2 on page 11, inclusive.

On page 11, after line 2, insert:

"8–807.

**(A)** On or before December 31 of each year, the Department of Agriculture shall report to the Governor, and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the farm acreage covered by nutrient management plans and the implementation and evaluation of those plans.

**(B) (1) BEGINNING IN 2020, THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE INFORMATION ON THE PRODUCTION AND USE OF ANIMAL MANURE BY FARM OPERATIONS COVERED BY NUTRIENT MANAGEMENT PLANS DURING THE PREVIOUS YEAR, INCLUDING:**

**(I) THE AMOUNT OF ANIMAL MANURE EXPORTED BY FARM OPERATIONS TO ALTERNATIVE USE FACILITIES OR OTHER FARM OPERATIONS IN THE STATE;**

**(II) THE AMOUNT OF ANIMAL MANURE EXPORTED OUT OF THE STATE BY FARM OPERATIONS; AND**

**(III) THE AMOUNT OF ANIMAL MANURE LAND APPLIED BY FARM OPERATIONS IN THE STATE AND THE SOURCE OF THAT MANURE.**

**(2) THE INFORMATION REQUIRED UNDER THIS SUBSECTION SHALL BE REPORTED:**

**(I) BY GEOGRAPHIC AREA, INCLUDING BY COUNTY OR LOCAL WATERSHED; AND**

**(II) IN A MANNER THAT PROTECTS THE IDENTITY OF INDIVIDUAL FARM OPERATION.**".

AMENDMENT NO. 4

On page 12, in line 12, strike "**DISCHARGE**" and substitute "**CAFO GENERAL DISCHARGE**"; strike beginning with the comma in line 13 down through the comma in line 14; and in line 17, strike "**DISCHARGE**" and substitute "**CAFO GENERAL DISCHARGE**".

On page 13, strike in their entirety lines 4 through 13, inclusive; after line 13, insert:

"**(2) (I) THE DEPARTMENT SHALL CHARGE A ONE–TIME PERMIT APPLICATION FEE OF AT LEAST $500 ON RECEIPT OF A NOTICE OF INTENT TO SEEK COVERAGE UNDER A CAFO GENERAL DISCHARGE PERMIT FOR:**

**1. A PROPOSED NEW CAFO THAT WILL HAVE A HOUSE CAPACITY OF 350,000 SQUARE FEET OR MORE; OR**

**2. MODIFICATION OF AN EXISTING CAFO TO EXPAND THE HOUSE CAPACITY TO 350,000 SQUARE FEET OR MORE.**

**(II) THE DEPARTMENT SHALL CHARGE AN ANNUAL FEE OF AT LEAST $500 FOR THE CONTINUED COVERAGE UNDER A CAFO GENERAL DISCHARGE PERMIT OF A CAFO WITH A HOUSE CAPACITY OF 350,000 SQUARE FEET OR MORE.**";

in line 17, strike "**PERMIT**"; and strike beginning with "**USER**" in line 17 down through "**CAFO**" in line 18 and substitute "**CAFO GENERAL DISCHARGE PERMIT**".

AMENDMENT NO. 5

On pages 13 through 15, strike in their entirety the lines beginning with line 19 on page 13 through line 12 on page 15, inclusive.

On page 15, after line 12, insert:

"Article – Natural Resources".

On page 16, after line 11, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) the Department of the Environment shall study and make recommendations regarding the feasibility of requiring the installation and use of on–site water quality monitoring equipment at certain concentrated animal feeding operation (CAFO) sites as a condition for issuance of a CAFO General Discharge permit; and

(2) on or before December 1, 2021, the Department shall report its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1246 of the State Government Article.";

and in line 12, strike "2." and substitute "3.".

AMENDMENT NO. 6

On page 15, in line 14, strike "**SHALLOW**" and substitute "**MAINSTEM AND TIDAL**"; strike beginning with "**DEPLOY**" in line 15 down through "**STATIONS**" in line 16 and substitute "**CONDUCT LONG–TERM SAMPLE COLLECTION**"; strike beginning with "**CONTINUOUS**" in line 18 down through "**IN**" in line 19 and substitute "**THE DEPARTMENT SHALL REGULARLY COLLECT SAMPLES FROM**"; and after line 19, insert:

"**(1) STATIONS TRQ0088 AND TRQ0146, LOCATED IN THE TRANSQUAKING RIVER;**

**(2) STATION CCM0069, LOCATED IN THE CHICAMACOMICO RIVER;**

**(3) STATION XDJ9007, LOCATED IN THE NANTICOKE RIVER;**

**(4) STATION XCI4078, LOCATED IN THE WICOMICO RIVER;**

**(5) STATIONS BXK0031 AND MNK0146, LOCATED IN THE MANOKIN RIVER; AND**

**(6) STATIONS POK0087 AND XAK7810, LOCATED IN THE POCOMOKE RIVER.**".

On pages 15 and 16, strike in their entirety the lines beginning with line 20 on page 15 through line 6 on page 16, inclusive.

On page 16, strike beginning with "**CONTINUOUS**" in line 7 down through "**EXISTED**" in line 10 and substitute "**WATER QUALITY MONITORING CARRIED OUT UNDER THIS SECTION SHALL BE DONE IN LOCATIONS WHERE WATER QUALITY MONITORING WAS CONDUCTED PRIOR TO DECEMBER 1, 2013**".

The preceding 6 amendments were read only.

Delegate Stein moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 15

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1244 – Delegates Acevero, Charles, Pena–Melnyk, Corderman, W. Fisher, Harrison, Hettleman, Ivey, Jackson, Johnson, Kelly, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, McKay, Palakovich Carr, Qi, Queen, Solomon, Stewart, Sydnor, Terrasa, Turner, C. Watson, and Wilkins**

AN ACT concerning

**Public Buildings and Places of Public Accommodation – Diaper–Changing Facilities**

**HB1244/396883/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1244
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Barron, Bhandari, Carr, Hill, Kerr, Pena–Melnyk, Pendergrass, Sample–Hughes, and K. Young"; in line 2, strike "and Places of Public Accommodation"; in lines 5 and 6, strike "and certain public restrooms in places of public accommodation"; strike beginning with "providing" in line 11 down through "Act" in line 14 and substitute "establishing that a diaper–changing facility is not required to be installed if a local building inspector makes a certain determination"; and in line 15, strike "and places of public accommodation".

On pages 1 and 2, strike the lines beginning with line 22 on page 1 through line 5 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in lines 17 and 18, strike "**OR A POLITICAL SUBDIVISION OF THE STATE**"; and in lines 19 and 20, strike "**OR A POLITICAL SUBDIVISION OF THE STATE**".

On page 3, in line 2, strike "**$10,000**" and substitute "**$50,000**"; strike beginning with "**OF**" in line 21 down through "**A**" in line 22 and substitute "**THAT HAS JURISDICTION OVER THE**"; in line 22, strike "**IS LOCATED**"; in line 24, strike "**FEASIBLE**" and substitute "**PRACTICABLE**"; and in line 29, strike "**(A)**".

On page 4, strike in their entirety lines 5 through 10, inclusive.

On pages 4 through 6, strike in their entirety the lines beginning with line 11 on page 4 through line 3 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1165 – Delegates Atterbeary, Acevero, Carr, Cullison, W. Fisher, Hill, Ivey, Kelly, R. Lewis, Moon, Mosby, Palakovich Carr, Pena–Melnyk, Shetty, and K. Young**

AN ACT concerning

**State Government – Government Agents – Requests for and Use of Immigration Status Information**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1165/423429/1**
BY: Delegate Saab

AMENDMENTS TO HOUSE BILL 1165
(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the House Judiciary Committee Amendments (HB1165/942217/1).

On page 1 of the bill, strike in their entirety lines 2 and 3 and substitute:

"State and Local Correctional Facilities – Undocumented Immigrants – Transfer to United States Department of Homeland Security
(Keep Our Communities Safe Act of 2019)";

strike beginning with "prohibiting" in line 4 down through "agents" in line 11 and substitute "requiring a State or local correctional facility with custody of a certain undocumented immigrant to transfer the individual to the United States Department of Homeland Security under certain circumstances; and generally relating to undocumented immigrants and State and local correctional facilities"; and strike in their entirety lines 12 through 17, inclusive, and substitute:

"BY adding to
Article – Correctional Services
Section 9–617
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On pages 1 through 3 of the bill, strike in their entirety the lines beginning with line 20 on page 1 through line 8 on page 3, inclusive, and substitute:

"Article – Correctional Services

**9–617.**

**ON REQUEST OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, A STATE OR LOCAL CORRECTIONAL FACILITY WITH CUSTODY OF AN UNDOCUMENTED IMMIGRANT WHO IS SERVING A SENTENCE IN THE FACILITY FOR CONVICTION OF A CRIME SHALL TRANSFER THE INDIVIDUAL TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 91 (See Roll Call No. 591)

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 1246 – Delegates Fraser–Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, and Wilkins**

AN ACT concerning

**Plug–In Electric Drive Vehicle Excise Tax Credit**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1246/173724/1**
BY: Delegate Beitzel

AMENDMENT TO HOUSE BILL 1246, AS AMENDED

On page 3 of the Environment and Transportation Committee Amendments (HB1246/700418/1), in line 3 of Amendment No. 3, after "**REFORMING**" insert "**UNLESS:**

**(1) HYDROGEN OBTAINED FROM ANY OTHER METHOD OF PRODUCTION IS NOT AVAILABLE IN THE STATE; OR**

**(2) THE PRICE OF HYDROGEN OBTAINED FROM OTHER METHODS OF PRODUCTION EXCEEDS THE PRICE OF HYDROGEN PRODUCED BY NATURAL GAS REFORMING BY 25% OR MORE**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 92 (See Roll Call No. 592)

Read the second time and ordered prepared for Third Reading.

## ECONOMIC MATTERS COMMITTEE REPORT NO. 17

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 637 – Delegates Clippinger, R. Lewis, and Lierman**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Licenses**

**HB0637/933996/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 637
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "privileges;" insert "altering the capital investment requirement for a public market license; authorizing the holder of a public market license to designate a vendor to sell certain alcoholic beverages for on–premises consumption at a restaurant in a certain premises; requiring that the restaurant have average daily receipts from the sale of food that are at least a certain amount of the total daily receipts of the restaurant; authorizing the vendor to sell alcoholic beverages in an area exceeding a certain

amount of square feet; specifying the hours and days of sale; prohibiting the privilege to sell alcoholic beverages at the restaurant from being transferred to another location; specifying that the premises of the restaurant does not count toward a certain floor space limit; altering certain license fees;"; and in line 14, strike "making a technical change;" and substitute "providing certain exceptions from prohibitions against certain transactions involving a certain distillery and a certain retail dealer; making technical and conforming changes; providing for the termination of certain provisions of this Act;".

On page 2, in line 1, after "Section" insert "12–404,"; and in the same line, after "12–902.1" insert ", 12–1002.1,".

AMENDMENT NO. 2

On page 3, after line 20, insert:

"12–1002.1.

(a) There is a public market license.

(b) The Board may issue the license only to an operator of an enclosed public market that:

(1) has a capital investment of at least **[**$3,000,000**]** **$5,000,000**; and

(2) is located in an area surrounded by Charles Street on the west, East Cross Street on the north, Light Street on the east, and East Cross Street on the south, in ward 23, precinct 1 of the 46th alcoholic beverages district.

(c) **[**The premises for which the public market license is issued shall be separate from the premises for which a Class D (7–day) beer and wine license has been issued.

(d)**]** Ownership of the license is transferable only to the Baltimore Public Markets Corporation.

**[**(e)**]** **(D)** (1) The license authorizes the license holder to sell, for on– or off–premises consumption:

(i) beer;

(ii) wine; and

(iii) liquor, when served as an ingredient in mixed drinks that may be purchased for at least $5 each.

(2) (i) Subject to subparagraph (ii) of this paragraph **AND SUBSECTION (E)(6) OF THIS SECTION**, the license holder may designate vendors within the public market to sell alcoholic beverages that are allowed under paragraph (1) of this subsection in leasable market space covering not more than 20% of the total square footage of floor space of the licensed premises.

(ii) **[**An**]** **EXCEPT AS PROVIDED IN SUBSECTION (E)(3) OF THIS SECTION, AN** individual vendor may sell alcoholic beverages in an area covering not more than 1,000 square feet of floor space.

(3) (i) The license holder shall submit to the Board the same information about each vendor that the Board requires of an applicant for a license.

(ii) The Board shall apply to the Central Repository for a State and national criminal history records check for each vendor authorized to sell alcoholic beverages.

(iii) A vendor authorized to sell alcoholic beverages or an individual who is designated by the vendor and employed in a supervisory capacity is required to be:

1. certified by an approved alcohol awareness program; and

2. present when alcoholic beverages are consumed.

(4) (i) Subject to subparagraph (ii) of this paragraph, monthly receipts from the sale of nonalcoholic beverage items shall be at least 65% of the total monthly receipts of the market.

(ii) The only nonalcoholic beverage items that may be counted in the calculation required under subparagraph (i) of this paragraph are items sold in the public market that are not provided as part of an off–premises catering service.

**(E) (1) THE LICENSE HOLDER MAY DESIGNATE A VENDOR TO SELL ALCOHOLIC BEVERAGES ALLOWED UNDER SUBSECTION (D)(1) OF THIS SECTION FOR ON–PREMISES CONSUMPTION AT A RESTAURANT IN THE PREMISES FORMERLY**

**OCCUPIED BY AN ESTABLISHMENT FOR WHICH A CLASS D (7–DAY) BEER AND WINE LICENSE WAS ISSUED.**

**(2) THE RESTAURANT SHALL HAVE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT.**

**(3) THE VENDOR DESIGNATED FOR THE RESTAURANT MAY SELL ALCOHOLIC BEVERAGES IN AN AREA EXCEEDING 1,000 SQUARE FEET OF FLOOR SPACE.**

**(4) THE HOURS OF SALE FOR ALCOHOLIC BEVERAGES AT THE RESTAURANT ARE FROM 9 A.M. TO 1 A.M. THE FOLLOWING DAY, MONDAY THROUGH SUNDAY.**

**(5) THE PRIVILEGE TO SELL ALCOHOLIC BEVERAGES AT THE RESTAURANT MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.**

**(6) THE PREMISES OF THE RESTAURANT DO NOT COUNT TOWARD THE LIMIT ON THE TOTAL SQUARE FOOTAGE OF FLOOR SPACE IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN THE PUBLIC MARKET UNDER SUBSECTION (D)(2)(I) OF THIS SECTION.**

(f) A license holder or vendor may not:

(1) participate in or publicize, in or outside the public market, a pub crawl authorized under § 12–1101.1 of this title; or

(2) except for an event closed to the public, including a rehearsal dinner, wedding reception, corporate function, or retirement party, allow an open bar to be operated by a vendor.

(g) **[**The**]** **EXCEPT AS PROVIDED UNDER SUBSECTION (E)(4) OF THIS SECTION, THE** hours of sale of alcoholic beverages for on–premises consumption are:

(1) from 11:30 a.m. to 10 p.m. Monday through Thursday;

(2) from 11:30 a.m. to 11:30 p.m. on Friday;

(3) from 9 a.m. to 11:30 p.m. on Saturday; and

(4) from 9 a.m. to 9 p.m. on Sunday.

(h) The annual license fee is:

(1) subject to item (2) of this subsection, **[**$6,500**]** **$7,500**; or

(2) **[**$2,500**]** **$3,500**, if the applicant for the license obtains and extinguishes one Class A, Class B, Class D, or Class B–D–7 license issued for use in ward 23, precinct 1 of the 46th alcoholic beverages district.

(i) The Board shall adopt regulations to carry out this section, including regulations concerning the following activities in a public market:

(1) the conduct of vendors;

(2) the conduct of license holders within the public market;

(3) the holding of events that are closed to the public; and

(4) the maintaining of a common seating area.".

AMENDMENT NO. 3

On page 7, after line 20, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12–404.

**(A)** Section 2–216(b) and (d) of this article does not apply to a holder of a Class 3 winery license or Class 4 limited winery license who is issued a Class A2 light wine on–sale and off–sale license with respect to the wine manufactured or bottled on the winery premises.

**(B) (1) THIS SUBSECTION APPLIES ONLY TO A CLASS 1 DISTILLERY AND A RETAIL DEALER LOCATED ON CONTIGUOUS PREMISES IN THE AREA COMMONLY KNOWN AS PORT COVINGTON.**

**(2) THE CLASS 1 DISTILLERY:**

**(I) MAY LEND A THING OF VALUE, MAKE A GIFT, OR OFFER A GRATUITY TO THE RETAIL DEALER; BUT**

**(II) MAY NOT LEND MONEY TO THE RETAIL DEALER.**

**(3) THE RETAIL DEALER:**

**(I) MAY ACCEPT, RECEIVE, OR MAKE USE OF A GIFT OR AN ADVERTISEMENT PROVIDED BY THE CLASS 1 DISTILLERY; BUT**

**(II) MAY NOT BECOME INDEBTED TO THE DISTILLERY EXCEPT FOR THE PURCHASE OF ALCOHOLIC BEVERAGES AND ALLIED PRODUCTS PURCHASED FOR RESALE.**

**(4) SECTION 2–216(D) OF THIS ARTICLE REGARDING ADVERTISEMENTS DOES NOT APPLY TO THE CLASS 1 DISTILLERY AND THE LICENSED RETAILER.**".

On page 7, in line 21, strike "3." and substitute "4."; and in line 22, after "2019." insert "Section 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 959 – Delegates Mosby, Conaway, Glenn, Haynes, Smith, and Wells**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – License Renewals**

**HB0959/133691/1**
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 959
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "License Renewals" insert "and Adult Entertainment"; in line 6, after "application;" insert "prohibiting the Board of License Commissioners for Baltimore City or a certain license holder in the City from allowing an individual under a certain age to enter a certain establishment of a license holder that offers certain adult entertainment, unless the individual is an employee, an agent, or a contractor of the establishment;"; in line 7, after "licenses" insert "and adult entertainment"; and after line 17, insert:

"BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–2102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 4, insert:

"12–2102.

(a) In this section, "adult entertainment" means:

(1) the employment or use of an individual in the sale or service of alcoholic beverages in or on the licensed premises while the individual is unclothed or in attire, costume, or clothing so as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals;

(2) the employment or use of the services of a hostess or other individual

to mingle with the patrons while the hostess or other individual is unclothed or in attire, costume, or clothing described in item (1) of this subsection;

(3) the encouragement of or allowing an individual on the licensed premises to caress or fondle the breasts, buttocks, anus, or genitals of any other individual; or

(4) allowing an employee or other individual to wear or use a device or covering exposed to view that simulates any portion of the breast, genitals, anus, or pubic hair;

(5) with respect to entertainment provided:

(i) allowing an individual to perform an act of or act that simulates:

1. sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or a sexual act that is prohibited by law;

2. the caressing or fondling of the breast, buttocks, anus, or genitals; or

3. the display of the pubic hair, anus, vulva, or genitals;

(ii) subject to item (i) of this item, allowing an entertainer whose breasts or buttocks are exposed to perform closer than 6 feet from the nearest patron; or

(iii) allowing an individual to use an artificial device or inanimate object to depict, perform, or simulate an activity prohibited under item (i) of this item; or

(6) show a motion picture, still picture, electronic reproduction, or other visual reproduction depicting:

(i) an act or simulated act of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or a sexual act that is prohibited by law;

(ii) an individual being caressed or fondled on the breast, buttocks, anus, or genitals;

(iii) a scene in which an individual displays the vulva, anus, or

genitals; or

(iv) a scene in which an artificial device or inanimate object is used to depict, or a drawing is used to portray, a prohibited act described in this subsection.

(b) **[**This**] EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, THIS** section does not apply to a license holder that:

(1) offered adult entertainment as of May 31, 1993, or the transferee of the license for the same premises if the transferee continues to offer adult entertainment; or

(2) operates a theater, a concert hall, an art center, a museum, or a similar establishment that is primarily devoted to the arts or theatrical performances, when the performances presented express matters of serious literary, artistic, scientific, or political value.

(c) The Board may not authorize and a license holder may not allow**:**

**(1)** adult entertainment on the licensed premises or on adjacent property over which the license holder has ownership or control**; OR**

**(2) AN INDIVIDUAL UNDER THE AGE OF 21 YEARS TO ENTER AN ESTABLISHMENT OF A LICENSE HOLDER SPECIFIED UNDER SUBSECTION (B)(1) OF THIS SECTION, UNLESS THE INDIVIDUAL IS AN EMPLOYEE, AN AGENT, OR A CONTRACTOR OF THE ESTABLISHMENT**.

(d) The Mayor and City Council may authorize the Board to enforce the laws and regulations of the City that govern adult entertainment business licenses.

(e) On finding that a violation of this section has occurred, the Board shall revoke or suspend the license or impose a fine or both.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 242 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Natural Resources – Hunting**

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**HB0242/640510/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 242
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 3 down through the semicolon in line 5; in line 6, strike "the county" and substitute "Cecil County"; in line 7, strike "wetland game birds, or quail,"; in line 9, after the semicolon insert "repealing an exception for wetland game birds from a certain authorization to allow a person in certain counties to hunt certain game birds or mammals on a Sunday on certain land during the open season for that game bird or game mammal;"; strike beginning with "repealing" in line 11 down through "county;" in line 12; after line 13, insert:

"BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–410(a)(1) and (g)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)";

in line 16, strike "10–408.1 and 10–410(a)(8), (g)(3)(i), and (p)" and substitute "10–410(a)(8) and (g)(3)(i)"; and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 20, inclusive; and in lines 27 and 28, strike "**, WETLAND GAME BIRDS, OR, IN CECIL COUNTY, QUAIL**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 13 through 28, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## SPECIAL ORDERS

**House Bill 904 – Delegates Stewart, Carr, Lehman, and Love**

AN ACT concerning

**Agriculture – Nutrient Management – Monitoring and Enforcement**

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

**HB0904/710518/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 904
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "authorizing the Department of Agriculture to require a certain summary to take the form of an annual implementation report; requiring a certain person to include certain information in an annual implementation report under certain circumstances; requiring a manure broker to provide certain information to a certain person;"; in line 4, after "deadlines" insert ", including deadlines"; in line 6, strike "State"; strike beginning with "requiring" in line 8 down through "certificate;" in line 21 and substitute "requiring the Department of Agriculture, beginning in a certain year, to include certain information on the production and use of animal manure by farm operations in a certain annual report;"; strike beginning with the comma in line 22 down through the comma in line 23; in line 26, after "minimum" insert "one–time permit"; in line 27, strike "proposed new"; in line 28, strike "a certain existing CAFO" and substitute "continued coverage of a certain CAFO under a CAFO General Discharge permit"; in line 29, strike "permit"; and in line 30, strike "user" and substitute "permit".

On pages 1 and 2, strike beginning with "requiring" in line 30 on page 1 down through the semicolon in line 3 on page 2.

On page 2, in line 4, strike "deploy continuous water quality monitoring stations" and substitute "conduct long–term sample collection"; strike beginning with "continuous" in line 5 down through the first "at" in line 6 and substitute "the Department of Natural Resources to regularly collect samples from"; strike beginning with the second "certain" in line 6 down through "existed" in line 8 and substitute "certain water quality monitoring to be done in certain locations"; in line 9, after the second semicolon insert "requiring the Department of the Environment to study and make recommendations regarding certain matters and to make a certain report on or before a certain date;"; after line 11, insert:

"BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–801.1(b), 8–803.1, and 8–807
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY adding to
Article – Agriculture
Section 8–801.1(c) and 8–803(h) and (i)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)";

in line 14, strike "and 8–805"; strike in their entirety lines 17 through 26, inclusive; in line 29, after the second comma insert "and"; in the same line, strike ", and 9–326"; and strike in their entirety lines 32 through 41, inclusive.

AMENDMENT NO. 2
On page 3, after line 8, insert:

"8–801.1.

(b) (1) **[**A**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A** summary of each nutrient management plan shall be filed and updated with the Department at a time and in a form that the Department requires by regulation.

**(2) (I) THE DEPARTMENT MAY REQUIRE AN UPDATED SUMMARY UNDER THIS SUBSECTION TO TAKE THE FORM OF AN ANNUAL IMPLEMENTATION REPORT.**

**(II) IF A PERSON, IN OPERATING A FARM, USES OR PRODUCES ANIMAL MANURE, THE PERSON'S ANNUAL IMPLEMENTATION REPORT SHALL INCLUDE:**

**1. THE AMOUNT OF ANIMAL MANURE IMPORTED TO OR EXPORTED FROM THE PERSON'S FARM;**

**2. FOR ANY ANIMAL MANURE THAT WAS IMPORTED, THE NAME AND LOCATION OF THE SENDING FARM; AND**

**3. FOR ANY ANIMAL MANURE THAT WAS EXPORTED, THE NAME AND LOCATION OF THE FARM, ALTERNATIVE USE FACILITY, OR MANURE BROKER THAT RECEIVED THE MANURE.**

**(III) IF A PERSON RECEIVES ANIMAL MANURE THROUGH A MANURE BROKER, THE BROKER SHALL PROVIDE THE PERSON WITH THE NAME AND LOCATION OF THE SENDING FARM.**

**[**(2)**] (3)** The Department shall maintain a copy of each summary for 3 years in a manner that protects the identity of the individual for whom the nutrient management plan was prepared.

**(C) (1) IF A PERSON FAILS TO FILE A SUMMARY OR ANNUAL IMPLEMENTATION REPORT AS REQUIRED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL NOTIFY THE PERSON THAT:**

**(I) THE PERSON IS IN VIOLATION OF THE REQUIREMENT TO FILE A SUMMARY OR ANNUAL IMPLEMENTATION REPORT; AND**

**(II) THE PERSON IS SUBJECT TO:**

**1. AFTER 30 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT LESS THAN $100 AND NOT MORE THAN $250;**

**2. AFTER 90 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT LESS THAN $250 AND NOT MORE THAN $1,000; AND**

**3. AFTER 90 DAYS FROM ISSUANCE OF THE NOTICE, AN ADMINISTRATIVE PENALTY OF NOT MORE THAN $1,000.**

**(2) A PENALTY IMPOSED ON A PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ASSESSED WITH CONSIDERATION GIVEN TO:**

**(I) THE WILLFULNESS OF THE VIOLATION; AND**

**(II) THE EXTENT TO WHICH THE CURRENT VIOLATION IS PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION COMMITTED BY THE VIOLATOR.**".

On page 4, in line 1, strike "**PERMIT**" and substitute "**CERTIFICATE**"; and in line 3, after "**DEPARTMENT**" insert "**, INCLUDING DEADLINES**".

On page 6, in line 4, strike "**NOT LESS THAN $100 AND**".

AMENDMENT NO. 3

On pages 7 through 11, strike in their entirety the lines beginning with line 23 on page 7 through line 2 on page 11, inclusive.

On page 11, after line 2, insert:

"8–807.

**(A)** On or before December 31 of each year, the Department of Agriculture shall report to the Governor, and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the farm acreage covered by nutrient management plans and the implementation and evaluation of those plans.

**(B) (1) BEGINNING IN 2020, THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE INFORMATION ON THE PRODUCTION AND USE OF ANIMAL**

**MANURE BY FARM OPERATIONS COVERED BY NUTRIENT MANAGEMENT PLANS DURING THE PREVIOUS YEAR, INCLUDING:**

**(I) THE AMOUNT OF ANIMAL MANURE EXPORTED BY FARM OPERATIONS TO ALTERNATIVE USE FACILITIES OR OTHER FARM OPERATIONS IN THE STATE;**

**(II) THE AMOUNT OF ANIMAL MANURE EXPORTED OUT OF THE STATE BY FARM OPERATIONS; AND**

**(III) THE AMOUNT OF ANIMAL MANURE LAND APPLIED BY FARM OPERATIONS IN THE STATE AND THE SOURCE OF THAT MANURE.**

**(2) THE INFORMATION REQUIRED UNDER THIS SUBSECTION SHALL BE REPORTED:**

**(I) BY GEOGRAPHIC AREA, INCLUDING BY COUNTY OR LOCAL WATERSHED; AND**

**(II) IN A MANNER THAT PROTECTS THE IDENTITY OF INDIVIDUAL FARM OPERATION.**".

AMENDMENT NO. 4

On page 12, in line 12, strike "**DISCHARGE**" and substitute "**CAFO GENERAL DISCHARGE**"; strike beginning with the comma in line 13 down through the comma in line 14; and in line 17, strike "**DISCHARGE**" and substitute "**CAFO GENERAL DISCHARGE**".

On page 13, strike in their entirety lines 4 through 13, inclusive; after line 13, insert:

"**(2) (I) THE DEPARTMENT SHALL CHARGE A ONE–TIME PERMIT APPLICATION FEE OF AT LEAST $500 ON RECEIPT OF A NOTICE OF INTENT TO SEEK COVERAGE UNDER A CAFO GENERAL DISCHARGE PERMIT FOR:**

**1. A PROPOSED NEW CAFO THAT WILL HAVE A HOUSE CAPACITY OF 350,000 SQUARE FEET OR MORE; OR**

**2. MODIFICATION OF AN EXISTING CAFO TO EXPAND THE HOUSE CAPACITY TO 350,000 SQUARE FEET OR MORE.**

**(II) THE DEPARTMENT SHALL CHARGE AN ANNUAL FEE OF AT LEAST $500 FOR THE CONTINUED COVERAGE UNDER A CAFO GENERAL DISCHARGE PERMIT OF A CAFO WITH A HOUSE CAPACITY OF 350,000 SQUARE FEET OR MORE.**";

in line 17, strike "**PERMIT**"; and strike beginning with "**USER**" in line 17 down through "**CAFO**" in line 18 and substitute "**CAFO GENERAL DISCHARGE PERMIT**".

AMENDMENT NO. 5

On pages 13 through 15, strike in their entirety the lines beginning with line 19 on page 13 through line 12 on page 15, inclusive.

On page 15, after line 12, insert:

"Article – Natural Resources".

On page 16, after line 11, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) the Department of the Environment shall study and make recommendations regarding the feasibility of requiring the installation and use of on–site water quality monitoring equipment at certain concentrated animal feeding operation (CAFO) sites as a condition for issuance of a CAFO General Discharge permit; and

(2) on or before December 1, 2021, the Department shall report its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1246 of the State Government Article.";

and in line 12, strike "2." and substitute "3.".

AMENDMENT NO. 6

On page 15, in line 14, strike "**SHALLOW**" and substitute "**MAINSTEM AND TIDAL**"; strike beginning with "**DEPLOY**" in line 15 down through "**STATIONS**" in line 16 and

substitute "**CONDUCT LONG–TERM SAMPLE COLLECTION**"; strike beginning with "**CONTINUOUS**" in line 18 down through "**IN**" in line 19 and substitute "**THE DEPARTMENT SHALL REGULARLY COLLECT SAMPLES FROM**"; and after line 19, insert:

"**(1) STATIONS TRQ0088 AND TRQ0146, LOCATED IN THE TRANSQUAKING RIVER;**

**(2) STATION CCM0069, LOCATED IN THE CHICAMACOMICO RIVER;**

**(3) STATION XDJ9007, LOCATED IN THE NANTICOKE RIVER;**

**(4) STATION XCI4078, LOCATED IN THE WICOMICO RIVER;**

**(5) STATIONS BXK0031 AND MNK0146, LOCATED IN THE MANOKIN RIVER; AND**

**(6) STATIONS POK0087 AND XAK7810, LOCATED IN THE POCOMOKE RIVER.**".

On pages 15 and 16, strike in their entirety the lines beginning with line 20 on page 15 through line 6 on page 16, inclusive.

On page 16, strike beginning with "**CONTINUOUS**" in line 7 down through "**EXISTED**" in line 10 and substitute "**WATER QUALITY MONITORING CARRIED OUT UNDER THIS SECTION SHALL BE DONE IN LOCATIONS WHERE WATER QUALITY MONITORING WAS CONDUCTED PRIOR TO DECEMBER 1, 2013**".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Hartman moved to make the Bill a Special Order for Monday.

The motion was rejected.

Read the second time and ordered prepared for Third Reading.

## QUORUM CALL

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

(See Roll Call No. 593)

## CALENDAR OF THIRD READING HOUSE BILLS NO. 70

**House Bill 824 – Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby**

~~EMERGENCY BILL~~

AN ACT concerning

**Financial Aid – Guaranteed Access Grants – Verification and Administration by Institutions of Higher Education**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 594)

The Bill was then sent to the Senate.

**House Bill 931 – Delegate Kipke**

AN ACT concerning

**Health Care Facilities – Certificate of Need – Modifications**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the Senate.

**House Bill 932 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Krebs, Lisanti, Reilly, ~~and Turner~~ Turner, Bagnall, Barron, Carr, Charles, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Rosenberg, and Saab**

AN ACT concerning

**Maryland Trust Act – Division or Consolidation of Trust**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 596)

The Bill was then sent to the Senate.

**House Bill 994** – **Delegates Mosby, Acevero, Barron, Boyce, Bridges, Brooks, Charles, W. Fisher, Holmes, Ivey, Lierman, Moon, Pena–Melnyk, Proctor, Sample–Hughes, Smith, Turner, Wells, and Wilkins**

AN ACT concerning

**Labor and Employment – Criminal Record Screening Practices (Ban the Box)**

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

Affirmative – 96 Negative – 37 (See Roll Call No. 597)

The Bill was then sent to the Senate.

**House Bill 1209** – ~~**Delegate Kaiser**~~ **Delegates Kaiser, Ebersole, Washington, Walker, Mosby, Ivey, Palakovich Carr, Feldmark, Wilkins, and Patterson**

AN ACT concerning

**Property Tax – Collection of Unpaid Taxes and Tax Sales**

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

Affirmative – 96 Negative – 35 (See Roll Call No. 598)

The Bill was then sent to the Senate.

**House Bill 1305** – **Delegate Ivey**

AN ACT concerning

**Estates and Trusts – Administration of Estates – Waiver of Fees – Required**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 599)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 80

**House Bill 397** – Delegates ~~Krebs, Jackson,~~ **Krebs and Jackson (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland), and Delegates Acevero, Anderton, Arentz, Arikan, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boyce, Branch, Buckel, Carey, Cassilly, Chang, Charkoudian, Charles, Chisholm, Clark, Corderman, Cox, Crosby, D.M. Davis, Dumais, Fennell, Fraser–Hidalgo, Ghrist, Gilchrist, Harrison, Haynes, Hettleman, Hill, Hornberger, Howard, Ivey, Kelly, Kerr, Kittleman, Korman, Krimm, Lehman, Lierman, Long, Luedtke, Malone, Mautz, McComas, McKay, ~~Morgan,~~ Palakovich Carr, Parrott, Patterson, Proctor, Qi, Queen, Reilly, Rose, Saab, Sample–Hughes, Shoemaker, Smith, Solomon, Szeliga, Turner, Valderrama, Walker, R. Watson, Wells, Wilson, ~~and P. Young~~ P. Young, Adams, Bagnall, Carr, Cullison, Johnson, Kipke, R. Lewis, Metzgar, Pena–Melnyk, Pendergrass, Rosenberg, and K. Young**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System**
**(Carl Henn's Law)**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 600)

The Bill was then sent to the Senate.

**House Bill 425** – **Delegates Sydnor and Pena–Melnyk**

AN ACT concerning

**Civil Actions – Unfair, Abusive, or Deceptive Trade Practices by Mortgage Servicer – Statute of Limitations**

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

Affirmative – 122 Negative – 9 (See Roll Call No. 601)

The Bill was then sent to the Senate.

**House Bill 510** – **Delegates Cassilly, Jalisi, and Stein**

AN ACT concerning

~~**Composting – Food Waste – Acceptance for Final Disposal**~~
**Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 602)

The Bill was then sent to the Senate.

**House Bill 1137** – **Delegates Bhandari, Acevero, Arikan, Bagnall, Boteler, Brooks, Cain, Cardin, Conaway, W. Fisher, Grammer, Guyton, Hettleman, Hornberger, Ivey, Jalisi, Lafferty, Lehman, R. Lewis, Luedtke, Moon, Sample–Hughes, Solomon, Sydnor, Terrasa, Wilkins, ~~and P. Young~~ P. Young, and Ebersole**

AN ACT concerning

~~**Task Force to Study the Home and Hospital Teaching Program for Students**~~
**Home and Hospital Teaching Program for Students – Report**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 603)

The Bill was then sent to the Senate.

**House Bill 1231** – **Delegate Adams**

AN ACT concerning

**Real Property – Construction Contracts – Retention Proceeds**

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

Affirmative – 130 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the Senate.

**House Bill 1273** – **Delegates Wilkins, Acevero, D. Barnes, Cain, Carr, Cullison, Ebersole, Feldmark, W. Fisher, Hill, Ivey, R. Lewis, Luedtke, Mosby, Palakovich Carr, Patterson, Smith, Turner, ~~and Washington~~ Washington, Atterbeary, J. Lewis, Moon, Lopez, Crutchfield, and Shetty**

AN ACT concerning

**Immigration Enforcement – ~~County Boards of Education, Public Institutions of Higher Education, and Hospitals~~ Public Schools, Hospitals, and Courthouses – Policies**

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

Affirmative – 93 Negative – 36 (See Roll Call No. 605)

The Bill was then sent to the Senate.

## JUDICIARY COMMITTEE REPORT NO. 18

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 519 – Delegate Dumais**

AN ACT concerning

**Family Law – Parentage and Adoption**

**HB0519/472419/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 519
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "presumed;" insert "providing that a child conceived by means of assisted reproduction after the death of the mother's spouse and using the genetic material of the mother's spouse is the legitimate child of both spouses under certain circumstances;"; and in line 13, after "parentage;" insert "specifying that the property of an illegitimate person passes in accordance with certain rules except under certain circumstances;".

On page 2, in line 22, after "1–206" insert ", 1–208,"; and in the same line, strike "1–208" and substitute "3–108".

AMENDMENT NO. 2

On page 3, after line 30, insert:

"**(3) A CHILD CONCEIVED BY MEANS OF ASSISTED REPRODUCTION AFTER THE DEATH OF THE MOTHER'S SPOUSE AND USING THE GENETIC MATERIAL OF THE MOTHER'S SPOUSE IS THE LEGITIMATE CHILD OF BOTH SPOUSES IF THE CHILD QUALIFIES AS A CHILD OF THE MOTHER'S SPOUSE UNDER § 1–205(A)(2) OF THIS SUBTITLE.**".

On page 4, in lines 5 and 6, strike "**AN INDIVIDUAL**" and substitute "**THE PARENT**"; in lines 7 and 11, in each instance, strike "**INDIVIDUAL**" and substitute "**PARENT**"; and in line 13, after "**CHILD**" insert "**, SUBJECT TO THE CONDITIONS UNDER § 1–205(A)(2) OF THIS SUBTITLE IF THE CHILD IS CONCEIVED AFTER THE DEATH OF THE PARENT**".

On page 5, after line 23, insert:

"3–108.

Property of an illegitimate person passes in accordance with the usual rules of intestate succession, except that the father or his relations can inherit only if the person is treated as the child of the father pursuant to **§ 1–205(A)(2) OR** § 1–208 of this article.".

On page 6, in line 15, after "**INVESTIGATOR**" insert "**OR**"; in the same line, strike the first comma; in the same line, strike "**, OR LOCAL DEPARTMENT**"; in line 18, after "order" insert "**A COURT INVESTIGATOR OR**"; and in line 19, strike "**OR LOCAL DEPARTMENT**".

On page 8, strike line 13 in its entirety; in line 15, strike "**HAS**" and substitute "**AND ANY KNOWN GAMETE DONOR HAVE**"; in line 18, after "**SUBTITLE**" insert "**; AND**

**(3) THE ADOPTION IS IN THE BEST INTEREST OF THE CHILD**";

in line 23, strike "**§ 1–206(B)**" and substitute "**§ 1–206**"; in the same line, strike "**§ 1–208(B)(2)**" and substitute "**§ 1–208**"; and after line 24, insert:

"**(3) UNLESS A PROSPECTIVE ADOPTEE'S LIVING PARENT CONSENTS TO THE TERMINATION OF THE PARENT'S PARENTAL DUTIES, OBLIGATIONS, OR RIGHTS, AN ORDER FOR ADOPTION GRANTED UNDER THIS SECTION DOES NOT TERMINATE THE PARENTAL DUTIES, OBLIGATIONS, OR RIGHTS.**".

On page 9, in line 24, after "**CHILD**" insert "**UNLESS PARENTAGE IS OTHERWISE ESTABLISHED**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 731 – Delegates Dumais and Malone**

AN ACT concerning

**Child Support – Shared Physical Custody**

**HB0731/782818/1**
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 731
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Malone" and substitute ", Malone, R. Watson, and J. Lewis".

AMENDMENT NO. 2

On page 3, in lines 18 and 20, in each instance, strike "**102**" and substitute "**103**"

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 743 – Delegate Dumais**

AN ACT concerning

**Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges**

**HB0743/452515/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 743
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Dumais" and substitute "Delegates Dumais, Grammer, and Arikan"; in line 4, strike "altering a certain time period after which a court is required to dismiss" and substitute "clarifying that a certain required dismissal of"; and strike beginning with "under" in line 5 down through "changes" in line 6 and substitute "is without prejudice".

AMENDMENT NO. 2

On page 1, in line 18, after "dismiss" insert "**WITHOUT PREJUDICE**"; and strike beginning with "**WHEN**" in line 20 down through "**(2)**" in line 23.

On page 2, strike beginning with "**NOT**" in line 1 down through "**SUBSECTION**" in line 2; in line 4, strike the brackets; in the same line, strike "**(3)**"; and in the same line, strike "**OR (2)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1198 – Delegate Cox**

AN ACT concerning

**Human Trafficking – Required Reporters**

**HB1198/482519/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1198
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Reporters" and substitute "Posting"; strike beginning with "who" in line 3 down through "trafficking" in line 11 and substitute "to prominently post a certain sign with information on the National Human Trafficking Resource Center Hotline in public information areas of a courthouse; requiring certain departments and independent units of the Executive Branch of State government to prominently post a certain sign with information on the National Human Trafficking Resource Center Hotline in certain locations; and generally relating to the National Human Trafficking Resource Center Hotline";

and strike in their entirety lines 12 through 26, inclusive, and substitute:

"BY adding to
Article – Courts and Judicial Proceedings
Section 2–215
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Government
Section 8–506
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 2 on page 2 through line 1 on page 4, inclusive, and substitute:

"Article – Courts and Judicial Proceedings

**2–215.**

**THE CLERK OF THE COURT SHALL PROMINENTLY POST THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE INFORMATION SIGN**

**DESCRIBED IN § 15–207 OF THE BUSINESS REGULATION ARTICLE IN PUBLIC INFORMATION AREAS OF EACH COURTHOUSE.**

Article – State Government

**8–506.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

**(3) "INDEPENDENT UNIT" MEANS A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS NOT IN A DEPARTMENT.**

**(B) EACH DEPARTMENT AND INDEPENDENT UNIT SHALL PROMINENTLY POST THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE INFORMATION SIGN DESCRIBED IN § 15–207 OF THE BUSINESS REGULATION ARTICLE IN EACH LOCATION OF THE DEPARTMENT OR INDEPENDENT UNIT THAT SERVES OR IS OPEN TO THE PUBLIC.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## WAYS AND MEANS COMMITTEE REPORT NO. 16

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1074 – Delegates Cain, Luedtke, and Turner**

AN ACT concerning

**Education – Juvenile Services Education Programs – Management and Operation**

**HB1074/665863/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1074
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Turner" and substitute "Turner, Guyton, Palakovich Carr, Ivey, Patterson, Feldmark, Mosby, Washington, Ebersole, Wilkins, and Smith"; in line 8, after "Program;" insert "altering the membership of the workgroup; altering the charge of the workgroup;"; and in line 18, strike "2(a) and (g)" and substitute "2".

AMENDMENT NO. 2

On page 2, after line 23, insert:

"(b) The workgroup convened under subsection (a) of this section shall include:

(1) one member of the Senate of Maryland, selected by the President of the Senate;

(2) one member of the House of Delegates, selected by the Speaker of the House;

(3) the State Superintendent of Schools, or the State Superintendent's designee;

(4) the Secretary of Juvenile Services, or the Secretary's designee;

(5) the Public Defender of Maryland, or the Public Defender's designee;

(6) an academic expert in education in institutional settings;

(7) a teacher who works in a juvenile services education program in the State;

(8) an administrator who works in a juvenile services education program in the State;

(9) one representative of a criminal justice or civil rights advocacy group;

(10) one representative of a disability rights advocacy group;

(11) a superintendent of a local public school system in the State, or the superintendent's designee; **[**and**]**

(12) a member of a county board of education**;**

**(13) THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

**(14) ONE REPRESENTATIVE OF THE PUBLIC JUSTICE CENTER, SELECTED BY THE EXECUTIVE DIRECTOR OF THE PUBLIC JUSTICE CENTER;**

**(15) ONE REPRESENTATIVE OF THE ACLU OF MARYLAND, SELECTED BY THE EXECUTIVE DIRECTOR OF THE ACLU OF MARYLAND; AND**

**(16) ONE ACADEMIC EXPERT IN EDUCATION IN INSTITUTIONAL SETTINGS, SELECTED BY THE DEAN OF THE UNIVERSITY OF MARYLAND COLLEGE OF EDUCATION**.

(c) The State Superintendent of Schools, or the State Superintendent's designee, **AND THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE** shall **[**chair**]** **SERVE AS COCHAIRS OF** the workgroup.

(d) The State Department of Education shall provide staff for the workgroup.

(e) A member of the workgroup:

(1) may not receive compensation as a member of the workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) **THE WORKGROUP SHALL HOLD PUBLIC HEARINGS AND PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT.**

**(G)** The workgroup shall study the results of the pilot program and make recommendations regarding:

(1) **[**whether the pilot program was more effective in meeting the needs of students in juvenile services education programs than the current management model**]** **THE IDENTIFICATION OF REFORMS TO JUVENILE SERVICES EDUCATION PROGRAMS, WHICH ARE INFORMED BY THE RESULTS OF THE PILOT PROGRAM AND ACADEMIC RESEARCH ON BEST PRACTICES ON EDUCATION IN INSTITUTIONAL SETTINGS, TO REMOVE DISPARITIES BETWEEN COURSE OFFERINGS, STAFFING, AND BUDGETARY SUPPORT AVAILABLE TO STUDENTS IN JUVENILE SERVICES EDUCATION PROGRAMS AND STUDENTS SERVED BY PUBLIC SCHOOLS IN THE STATE**;

(2) the management model that should be used to provide juvenile services education programs, including:

(i) the current model operated by the State Department of Education;

(ii) a model where local school systems operate the programs on a regionalized basis; and

(iii) a model where an independent board of education operates the juvenile services education programs;

(3) a funding formula that is adequate and appropriate for juvenile services education programs;

(4) whether a 9–month or 12–month academic calendar is appropriate;

(5) how to ensure that students and their educational needs seamlessly and effectively transition between the student's home school and the juvenile services education program and that students receive credit for their academic progress;

(6) how to best address staffing, curriculum, and procurement challenges in the current system, whether through new processes or a new management system;

(7) how to ensure that students in juvenile services education programs who have completed a high school diploma or GED have access to postsecondary options; **[**and

(8) how to eliminate disparities in course offerings, staffing, and budgetary support available to students in the Juvenile Services Education System and to students served by public schools in the State.**]**

**(8) THE APPROPRIATE BALANCE BETWEEN COMPUTER–BASED AND TEACHER–DIRECTED INSTRUCTION TO DIFFERENTIATE THE NEEDS OF STUDENTS IN JUVENILE SERVICES EDUCATION PROGRAMS;**

**(9) WHETHER THERE SHOULD BE ADDITIONAL TEACHER CERTIFICATION OR TRAINING REQUIREMENTS BEYOND CURRENT REQUIREMENTS FOR TEACHERS IN JUVENILE SERVICES EDUCATION PROGRAMS;**

**(10) HOW TO ENSURE THAT STUDENTS ARE GIVEN APPROPRIATE PRE–ASSESSMENTS WHEN A STUDENT BEGINS A JUVENILE SERVICES EDUCATION PROGRAM TO DETERMINE THE STUDENT'S CURRENT ACADEMIC LEVEL; AND**

**(11) HOW TO ENSURE THAT STUDENTS IN JUVENILE SERVICES EDUCATION PROGRAMS WHO DO NOT HAVE AN IEP OR 504 PLAN BUT MAY NEED SERVICES ARE ASSESSED TO IDENTIFY DISABILITIES.**";

and in line 24, strike "(g)" and substitute "**(H)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1242 – Delegates Hill, Atterbeary, Bridges, Feldmark, Guyton, Haynes, Jalisi, Jones, J. Lewis, Luedtke, Moon, Pendergrass, Qi, Smith, Sydnor, Terrasa, Turner, and Wilson**

AN ACT concerning

**Public School Students – Vision Services and the Vision for Maryland Program**

**HB1242/345261/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1242
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and the Vision for Maryland Program" and substitute "– Reporting"; strike beginning with "each" in line 3 down through "year;" in line 13 and substitute "the State Department of Education and the Maryland Department of Health to jointly study and assess certain matters; requiring the departments to jointly report on certain matters to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;"; and strike in their entirety lines 15 through 25, inclusive.

On page 2, in line 2, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 3 on page 2 through line 18 on page 6, inclusive, and substitute:

"(a) The State Department of Education and the Maryland Department of Health jointly shall study and assess:

(1) the number of students identified in vision screenings who later receive the recommended eye exam, eyeglasses, or corrective lenses;

(2) the programs that are available for the provision of no– or low–cost eye exams or eyeglasses for children, and whether these programs are adequate to meet the needs of students; and

(3) whether and how parents are made aware of no– or low–cost eye exams and eyeglass programs.

(b) On or before December 1, 2019, the State Department of Education and the Maryland Department of Health jointly shall report on the matters specified in subsection

(a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.".

AMENDMENT NO. 3

On page 6, in line 20, after the period insert "It shall remain effective for a period of 1 year and, at the end of June 30, 2020, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1255 – Delegates Fraser–Hidalgo, Barve, Korman, Shetty, and Wilkins**

AN ACT concerning

**School Bus Purchasing – Zero–Emission Vehicle – Requirement**

**HB1255/855061/2**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1255
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilkins" and substitute "Wilkins, Love, Wells, Attar, Stein, Healey, Bridges, Boyce, Harrison, Lehman, and Stewart"; in line 2, strike "Purchasing" and substitute "Transition"; in the same line, strike "Vehicle – Requirement" and substitute "Vehicles – Grant Program and Fund"; strike beginning with "requiring" in line 3 down through "purchases" in line 7 and substitute "requiring the Department of the Environment and the Department of Transportation to jointly provide technical assistance to certain entities on certain matters; establishing the Zero–Emission Vehicle School Bus Transition Grant Program; providing for the purpose of the Program; requiring the Department of the Environment, in consultation with the State Department of Education, to implement and administer the Program; providing for the funding of the Program; authorizing the Department of the Environment to adopt certain regulations;

establishing the Zero–Emission Vehicle School Bus Transition Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of the Environment, in consultation with the State Department of Education, 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; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining certain terms; and generally relating to transitioning to school buses that are zero–emission vehicles"; and strike in their entirety lines 8 through 12, inclusive, and substitute:

"BY adding to
Article – Environment
Section 2–1501 through 2–1504 to be under the new subtitle "Subtitle 15. Zero–Emission Vehicle School Buses"
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)112. and 113.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)114.
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, in line 20, strike "**Education**" and substitute "Environment"; after line 20, insert:

"**SUBTITLE 15. ZERO–EMISSION VEHICLE SCHOOL BUSES.**";

strike line 21 in its entirety and substitute "**2–1501.**"; in line 22, strike "**SECTION,**" and substitute "**SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) "FUND" MEANS THE ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION FUND.**

**(C) "PROGRAM" MEANS THE ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION GRANT PROGRAM.**

**(D)**";

and in line 22, strike "**ZERO–EMISSION**" and substitute "**ZERO–EMISSION**".

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

"**2–1502.**

**THE DEPARTMENT AND THE DEPARTMENT OF TRANSPORTATION JOINTLY SHALL PROVIDE TECHNICAL ASSISTANCE TO COUNTY BOARDS OF EDUCATION AND ENTITIES THAT CONTRACT WITH COUNTY BOARDS TO PROVIDE TRANSPORTATION SERVICES FOR TRANSITIONING TO THE USE OF SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES THROUGHOUT THE STATE.**

**2–1503.**

**(A) THERE IS A ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION GRANT PROGRAM IN THE STATE.**

**(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO COUNTY BOARDS OF EDUCATION AND ENTITIES THAT CONTRACT WITH COUNTY BOARDS TO PROVIDE TRANSPORTATION SERVICES TO:**

**(1) PURCHASE SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES;**

**(2) INSTALL ELECTRIC VEHICLE INFRASTRUCTURE FOR CHARGING SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES;**

**(3) ENGAGE IN PLANNING FOR A TRANSITION TO USING SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES; AND**

**(4) FUND PILOT PROGRAMS TO EXPERIMENT WITH A TRANSITION TO SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES.**

**(C) THE DEPARTMENT, IN CONSULTATION WITH THE STATE DEPARTMENT OF EDUCATION, SHALL IMPLEMENT AND ADMINISTER THE PROGRAM.**

**(D) (1) IF THE DEPARTMENT RECEIVES ANY FUNDS AS A RESULT OF A LEGAL SETTLEMENT THAT ARE EARMARKED FOR THE PURPOSE OF TRANSITIONING TO SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES, THE FUNDS SHALL BE MADE AVAILABLE TO AWARD GRANTS IN ACCORDANCE WITH THIS SECTION.**

**(2) IN ADDITION TO ANY FUNDING PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, FUNDING FOR THE PROGRAM CONSISTS OF:**

**(I) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE PROGRAM; AND**

**(II) ANY ADDITIONAL MONEY MADE AVAILABLE TO THE PROGRAM FROM ANY PRIVATE OR PUBLIC SOURCES.**

**(E) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.**

**2–1504.**

**(A) THERE IS A ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION FUND.**

**(B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR THE PROGRAM.**

**(C) THE DEPARTMENT, IN CONSULTATION WITH THE STATE DEPARTMENT OF EDUCATION, SHALL ADMINISTER THE FUND.**

**(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(E) THE FUND CONSISTS OF:**

**(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

**(2) INTEREST EARNINGS OF THE FUND;**

**(3) DONATIONS;**

**(4) MONEY DERIVED FROM LEGAL SETTLEMENTS EARMARKED FOR THE PURPOSE OF TRANSITIONING TO SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES; AND**

**(5) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(F) THE FUND MAY BE USED ONLY FOR THE PROGRAM.**

**(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

**(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.**

**(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

**(I) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

112. the Pretrial Services Program Grant Fund; **[**and**]**

113. the Veteran Employment and Transition Success Fund**; AND**

**114. THE ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION FUND**.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## LETTERS OF REASSIGNMENT

March 13, 2019

**MEMORANDUM**

To: Chair, Economic Matters Committee
From: Michael E. Busch, Speaker of the House

Re: Reassignment of Bill/Resolution

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:

| Bill/Resolution No. | Reassignment |
|---|---|
| SB 496 | APP |

Read and ordered journalized.

## QUORUM CALL

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

(See Roll Call No. 606)

## RECESS

At 4:22 P.M. on motion of Delegate Dumais the House recessed until 12:00 P.M. on Legislative Day, March 13, 2019, Calendar Day, Monday, March 18, 2019.